

# San Francisco Bay Conservation and Development Commission

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## MINUTES

**TO:** All Commissioners and Alternates

**FROM:** Lawrence J. Goldzband, Executive Director (415/352-3653; [larry.goldzband@bcdc.ca.gov](mailto:larry.goldzband@bcdc.ca.gov))  
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**SUBJECT: Approved Minutes of July 17, 2025 Hybrid Commission Meeting**

**1. Call to Order.** The hybrid meeting was called to order by Chair Wasserman at 1:05 p.m. The meeting was held with a principal physical location of 375 Beale Street, San Francisco, California, and online via Zoom and teleconference.

Chair Wasserman stated: Good afternoon, all, and welcome to our hybrid BCDC commission meeting. I apologize for being a couple of minutes late. I was upstairs mingling with staff as well as snagging a piece of pizza. My name is Zack Wasserman, and I am Chair of the Commission, for anybody out there who may not have listened before. I want to thank all of you who are here at Metro Center as well as those participating virtually. I want to recognize Regulatory Director Harriet Ross who is filling in for our Executive Director today, who is off on safari in Africa.

Chair Wasserman asked Ms. Peterson to proceed with Agenda Item 2, Roll Call.

**2. Roll Call.** Present were: Chair Wasserman, Vice Chair Eisen, Commissioners Addiego, Ahn, Dorsey, Eckerle (represented by Alternate Kimball), Eklund, Gioia, Gonzalez, Gunther, Hasz, Kato (represented by Alternate Pemberton), Moulton-Peters, Ramos, Randolph, Showalter (joined at 2:16 p.m.), Tam (represented by Alternate Gilmore), and VACANT (Nelson). Catherine Stefani, appointee of the Speaker of the Assembly (represented by Falzon) was also present.

Chair Wasserman announced that a quorum was present.

Not present were Commissioners: USACE (Beach), Department of Finance (Benson), U.S. Environmental Protection Agency (Blake), Business, Transportation & Housing (El-Tawansy), San Mateo County (Gauthier), Sonoma County (Hermosillo), Santa Clara County (Lee), Solano County (Mashburn), Association of Bay Area Governments (Taylor)

**3. Public Comment Period.** Chair Wasserman called for public comment on subjects that were not on the agenda.

Rollie Katz spoke: Good afternoon. I am Rollie Katz, the Executive Director of the Marin Association of Public Employees. I have spoken to you before. We are the union that represents the majority of Marin County employees; more than half of whom do not live in Marin County, many of whom drive across the Richmond Bridge every day to get to work.

I was able to take BART to this meeting today and had a lovely stroll down Beale Street, was able to stop for lunch. Many of our members who live in the East Bay and beyond would like to have those options to get to work but they simply don't exist and riding a bicycle to work is not a viable option for them.

So, we will be here on the 7th to urge you to support the very commonsense application before you from Caltrans and the Bay Area Toll Authority to convert the bike lane four days a week to a breakdown lane and hopefully to make it an HOV lane.

And I would just note a few things in my time. Those who oppose this plan point out correctly that if we had more affordable housing in Marin County fewer people would have to commute. We have been advocating that position for a long time. And that and \$8 will pay for the Bridge toll. The fact is, there simply isn't enough housing and people have to live further away and have to drive to work.

Secondly, there is a contention that the breakdown lane really doesn't affect the traffic because there is not going to be a third lane. But anybody who has driven across that Bridge when there has been an accident, a stall, knows what happens when you can't move vehicles off the two lanes onto the side.

I regularly commute across the Bridge. I often do it at times not rush hour for a number of reasons. Several weeks ago, about 10:30, a ride that should take 25, 30 minutes, the sign on 580 and 80 near Emeryville says it is going to be an hour and a half to get to 580. I checked the traffic report. There is an accident on the Bridge, everything is shut down. Highway Patrol is getting there on a motorcycle on the bike lane.

So, it took me about an hour and a half to get to Marin County. I have seen a person with a flat tire going very slowly, looking very anxious. No place to pull over. Again, a backup in traffic.

So, we will be back to see you in a few weeks and urge you to support that. One of our members has taken the time to come today to speak to you as well. Thank you very much.

Gabriela Ventura commented: Good afternoon, supervisors. My name is Gabriela Ventura. As Rollie mentioned, I am part of MAPE. I was born and raised in Marin County, but due to the housing I have been forced to move to Oakland. I also don't have a car, which makes it very hard to cross the Richmond Bridge when I try to get to work in the morning.

I am very lucky that I have a carpool buddy who lives right next to me. But on the times that she has to go on vacation I am forced to resort to public transportation, which is not that great going into Marin County. I was very lucky that I can take BART and Muni and AC Transit from Oakland to here, but I don't have that luxury going into Marin County. Which means that when my buddy is not available to carpool, I am waking up at 4:30 in the morning to 5:00 in the morning to take a bus to BART, from BART to a bus, and then a bus from Marin to my job.

And if there is an accident on the Bridge there is no way I am making it to work at 8:00 a.m. so I am resorted to taking Uber or Lyft, which costs around \$60 just one way during peak traffic. And then afterwards on the way back it is another three hours of traveling. So, my day starts at 4:30 a.m. and it ends around 8:00 to 9:00 p.m. and then I am asked to do it again the next day.

And it is mentally taxing and not to mention financially taxing. It can take anywhere from \$30 round trip to 60 to \$70 round trip daily. So, opening up that third lane for HOV would be super helpful for the bus to just get through and it would be really great for my mental health as well. So, thank you so much for hearing us out and we will be back August 8. Thank you.

Dani Lanis offered public comment: This comment is in regard to the Regional San Rafael Bridge Trail.

Caltrans' proposal to shut down this key section of the Regional San Francisco Bay Trail linking the East Bay and North Bay is opposed by resolutions adopted by the Richmond, Albany, and Berkeley City Councils, three cities along I-580 and the Bay Trail.

The closure proposal also is opposed by the West Contra Costa Transportation Commission representing all five cities in western Contra Costa County and over 70 local regional, state, and national organizations. Organizations opposing include Save the Bay, Sierra Club, Greenbelt Alliance, the San Francisco Bay Trail Project, Trust for Public Land, and many

local and regional cycling and hiking organizations.

Also, over 4800 individuals have signed a petition to maintain bike/walk access to the Richmond-San Rafael Bridge Trail 7 days a week, 24 hours a day.

According to the McAteer-Petris Act, BCDC can deny a permit if the proposed project fails to provide the maximum feasible public access to the Bay and its shoreline. Eliminating the Trail Monday through Thursday goes against BCDC's goals of providing maximum feasible public access.

MTC is proposing a false, unsubstantiated, shortsighted idea that fails to create meaningful change to a long-term problem. We deserve investment in a comprehensive approach that supports active, sustainable transportation, transformative investment in public transportation to move more people with less miles driven, and affordable housing closer to where people work to support the decades of growth to come.

For the health of our communities and of the Bay it is critical that we prioritize solutions that take vehicles out of roadways and invest in sustainably connecting people to their needs. Every bicycle and pedestrian trip is one less car. Bikes are part of the solution. Please keep the Richmond San Rafael Bridge Trail open today and fight to open the Bay Bridge yesterday. Thank you.

Bruce Beyaert was recognized: Chair Wasserman and Members of the Commission, my name is Bruce Beyaert. I am Board of Directors co-chair for the San Francisco Bay Trail Project and chair of TRAC, Trails for Richmond Action Committee.

The Richmond-San Rafael Bridge Trail is a key section of the regional San Francisco Bay Trail providing active transportation and recreation for residents of the East Bay and North Bay. North Bay folks can get to Richmond and enjoy shoreline parks and East Bay folks can get to Marin and enjoy their shoreline parks.

Caltrans' proposal to shut down this Trail four days a week clearly conflicts with the Commission's mandate to provide maximum feasible access to the Bay and its shoreline.

Caltrans' proposal to convert the Trail in order to study the effects of a breakdown lane, makes no sense. UC Berkeley's *After Study* concluded that converting the breakdown lane to a trail had no significant effect on the number of accidents on the Bridge or the time required to clear them. Therefore, it makes no sense that going back to a breakdown lane would have any benefit.

The *After Study* also found that over the course of a year there are only 40 incidents on the Bridge during the morning commute hour. Only 40, less than one a week. This really makes very little sense to shut down the Trail four days a week when during those four days there may not be on the average a single incident on the Bridge.

The ongoing grind of congestion is on the approaches to the Bridge, not the Bridge itself. And the RSR Forward program measures such as eliminating the toll booths, go to open tolling and clean out interchanges will do a lot to alleviate that congestion on the approaches to the Bridge, which has nothing to do with the Bridge itself and the Trail.

We now have five and a half years of experience demonstrating that it is feasible to operate the Richmond-San Rafael Bridge Trail 24/7. Cyclists and pedestrians have enjoyed over 475,000 trips across the Bridge since the Trail opened in November 2019. It is the most popular for bicyclists of all the state-owned bridges in the Bay Area.

Please deny Caltrans' request to close this regional trail when you meet next month.

Chair Wasserman continued to the Report of the Chair.

**4. Report of the Chair.** Chair Wasserman announced: That brings me to my Report.

The true impact of what the current federal administration in Congress with its Republican majority are doing will not be felt for many years. But any realistic, impartial view of the cutbacks to science in general, to NOAA and FEMA in particular, will tell you that people are going to die because of these cutbacks. Not knowing when hurricanes are coming, not knowing soon enough when flash floods are coming, have impacts.

And unfortunately, and again realistically, there isn't a lot that we can do right now. But to the extent any of us can think of things or are willing to do things, writing to whoever, publishing wherever, to note that this is going on is really important.

I was taught as a young man, and have followed for most of my life, to speak truth to power. And now if any time is a time when that is so. So, I urge my fellow Commissioners, I urge anybody listening to read. And when you react and get angry, as I unfortunately hope you do, to act. Even if it is calling someone in perhaps another state, even if it is writing something. Because it is small actions that hopefully will ultimately result in a change in direction. Unfortunately, we do not know how many more people are going to have to die before that happens.

On a more immediate and mundane basis I do want to remind Commissioners that we are going to continue to have some full meetings between now and October consisting of several public hearings and possible votes.

At our next meeting on August 7, we expect to consider two separate issues that likely will require much public discussion and so we will start at 10:00 a.m., please. One is a public hearing on the Richmond-San Rafael Bridge Project modifications and a possible vote on a Staff Recommendation.

Second, a briefing on the NOAA assessment and strategy, which identifies programs and changes and implementation activities needed to address objectives identified in that assessment.

Please do note that all of the public comments that have been received on the withdrawn project application for the Richmond-San Rafael Bridge Project are currently posted on our website. Comments received on the new project application submitted after July 10 will be distributed to the Commission in the mailing before the meeting, which will also include the staff recommendations.

Please direct all written public comments on this and any other topic to public comment@bcdcc.ca.gov.

The one other personal note I will make is I did have the pleasure just before this Commission meeting of meeting with the four interns, three college, one not college, who are working for BCDCC. As always, their enthusiasm, their questions are an inspiration. We do have hope.

That brings us to ex parte disclosures. In case Commissioners have inadvertently forgotten to provide our staff with a report on any written or oral ex parte communication please do so as soon as possible. Any Commissioners may make an oral presentation now, remembering that you still need to do the one in writing. That should be brief but detailed enough to allow the public to know what communications, what general information you have received outside of the public forum. These should not exceed two minutes, if at all possible. Are there any Commissioners who wish to make an ex parte disclosure at the present time?

I see none. Thank you.

**5. Report of the Executive Director.** Chair Wasserman announced Harriet Ross would make the Report for Executive Director Goldzband.

Acting Executive Director Ross stated: Thank you, Chair Wasserman. I am pleased to give the Executive Director Report today while Larry is out on a much-needed vacation. It is a bit of a long one so hang in there with me.

First, I am thrilled to announce the BCDC-sponsored trailer bill language was chaptered into law on June 27. This allowed for changes in the law to permit BCDC to use a portion of the Bay Fill Clean Up and Abatement Fund for a much-needed digital database.

As you may know, permit files currently live in a few different digital platforms and do not interact with one another, and in fact we still have to refer to hard copy files, making it a bit difficult to access past permits and information.

BCDC staff, especially the Regulatory Division, is looking forward to a modern and comprehensive database to manage our permitting work and to receive subregional plans.

So now the hard work of selecting a vendor and implementing the new digital database begins. That is the hardest part.

I am also pleased to share that our Regulatory Improvements Team is rolling out a revamped pre-application process this week. This is a project that we have been working on for a while.

We have always held pre-application meetings with projects, in fact for years. But the mission-based review that we completed last fall with the Department of Finance made several recommendations to strengthen our process, so we have incorporated those. These include:

- Standardizing meetings as much as possible.
- Requiring pre-application materials with enough lead time before meetings for staff to give more robust and targeted feedback.
- Engaging earlier on key topics like public access.
- And making the process more transparent by documenting the relevant BCDC policies, potential issues and how they are being resolved, as well as permitting milestones so the project proponents have more clarity about how the permit might look and the timing of the whole process.

We are also improving the process in many other ways by:

- Enhancing the information on our website to explain the new process.
- Building resource pages on key topics and common questions, like an FAQ.
- And making it easier to share and collaborate on project files.

We are planning to gather feedback over the next several months so we can continue to make the new process work better for applicants as well as for ourselves.

Ultimately the goal of this project is to get to earlier decisions on key issues and more complete applications that align with the BCDC's laws and policies so we can process permits more efficiently and ultimately achieve better outcomes for the Bay and the public.

A handout outlining this information will be sent to the Commission after this meeting.

Also, I wanted to tell you that after many years of planning the East Bay Regional Parks will begin construction for the 2.5 mile Point Molate Bay Trail in Richmond, with groundbreaking on Aug 1. BCDC issued a permit for this project in 2024.

Some other exciting news. The paper that Brenda Goeden, BCDC's Sediment Program Manager, has been working on a couple of years, is now published. It describes how sediment is transported and deposited on marshes, focusing on China Camp.

This paper is titled: *Marsh Sediment in Translation: A Review of Sediment Transport Across a Natural Tidal Salt Marsh in Northern San Francisco Bay.*

As part of the RSAP Summer Outreach, the BCDC Adaptation Planning Team has been actively engaging with local leaders and staff to support Subregional Planning under SB 272. The team has had valuable conversations with several BCDC Commissioners and their jurisdictions. It is closely tracking touchpoints with all 51 Bay Area jurisdictions, both local elected officials and government staff. The team is nearly halfway through its outreach and has clear steps for engaging the remaining jurisdictions.

Additionally, as part of this Tour the team has kicked off a four-part summer webinar series. The first webinar had strong participation, the recording is available online.

The second in the series is next Wednesday, which will be focused on creating Subregional Plans to align with the RSAP Guidelines.

In preparation, the team is conducting direct outreach to key local government staff, is posting across all BCDC social media platforms, and is also coordinating with the League of California Cities and other networks to help spread the word. Event details and registration links are available online and we encourage all of our Commissioners to share these resources with their communities and perhaps even reshare some social media posts. We like those likes and hits.

We learned earlier this month that BCDC's Regional Shoreline Adaptation Plan has won another award. The Floodplain Management Association for California, Nevada and Hawaii has awarded BCDC's RSAP its Coastal Zone Management and Stewardship Award. This award will be presented at an annual meeting held in September.

We were also pleased to attend and sponsor last week's Bay Area Catalyst Convening located in San Jose and hosted by the Strategic Growth Council and the Governor's Office of Land Use and Climate Innovation. The day-long event aimed to elevate and catalyze climate, energy, and land use progress across the San Francisco Bay Area bioregion.

Hundreds of participants from key state, regional and community partners engaged in a deep dialogue to explore the region's key barriers to action and co-create a set of actionable recommendations. BCDC staff shared information about technical assistance to cities related to the RSAP and the Shoreline Leadership Academies.

Now on to news related to personnel.

We wanted to welcome Blu Cardinale, who is a California Conservation Corps fellow that is helping us with all of our social media. Blu started in May.

We also had 3 interns start in June.

Amelia Chandless is working on the Sediment for Wetland Adaptation Project by investigating the costs of beneficial reuse of sediment and soil at wetland restorations projects as well as developing a draft cost benefits analysis.

Jasmine Magana is working to support the development of Bay Adapt's data and tools such as the RSAP Atlas and Shoreline Adaptation Project Map.

And lastly, but not least, we have Cecilia Rodriguez who is updating our regionwide dataset that tracks the state of sea level rise adaptation policies in city and county general plans.

All of the interns and fellow are working out really well and will be presenting to the Commission later on this summer.

So, some comings and goings of staff.

I am happy to announce that we have filled the Principal Shoreline Development Analyst position on the Shoreline Development Permitting Team. It has been a long search. But Lindsay Martien will be joining us this August, coming from a background in water resources planning and management. She earned a master's degree in Environmental Science and Management



from UC Santa Barbara and a Bachelor of Science in Marine Biology from UCLA, making her both a Gaucho and a Bruin. A BCDCer here after my own heart and alma maters. We look forward to having her as a member of the team.

We also celebrated a couple of retirements in the last few weeks.

Reyna Amezcua retired after 34 years of dedicated service at BCDC. She served on the clerical team and was truly invaluable to the Regulatory Division as she finalized many of the permits we issue.

Elsa Gomez also retired after 19 years of service at BCDC. Elsa was one of our IT staff and she onboarded most staff as they started BCDC and was the last face employees saw as she collected their laptops.

Reylina Ruiz, our Admin and IT Director has taken a promotion at another State agency.

And lastly, our Enforcement Officer Matthew Trujillo has also taken another job.

We wish all of our former colleagues the best of luck, of course, and we are working quickly to fill their vacant positions.

Finally, in keeping with Larry's tradition, I wonder if he's actually secretly on this call, a little bit of history for you all.

On this day in 1955 the Happiest Place on Earth, Disneyland, opened in Anaheim. Walt Disney's vision came to life with the grand opening of a new kind of theme park that transformed American entertainment and tourism. So, 70 years of joy for kids and 70 years of allowing adults to meet their weekly step count in one day.

That completes my report, Chair Wasserman. I am happy to answer any questions.

Chair Wasserman asked: Any questions for Harriet?

Commissioner Eklund stated: The only question I have is, can we get a copy of that? Can you send that to us electronically?

Ms. Ross asked: The report?

Commissioner Eklund replied: Yes, the report?

Ms. Ross answered: Yes.

Commissioner Eklund acknowledged: Okay great, thank you. I could not capture all of your good comments, thank you.

## **6. Consent Calendar**

### **a) Approval of Minutes for the June 5, 2025 Meeting**

Chair Wasserman reviewed the items on the Consent Calendar and called for public comment.

(No members of the public addressed the Commission.)

Chair Wasserman asked for a motion and a second to adopt the Consent Calendar.

**MOTION:** Commissioner Moulton-Peters moved approval of the Consent Calendar, seconded by Commissioner Eklund.

**VOTE:** The motion carried with a vote of 17-0-0 with Commissioners Addiego, Ahn, Dorsey, Eklund, Gioia, Gilmore, Gonzalez, Gunther, Hasz, Kimball, Nelson, Moulton-Peters, Pemberton, Ramos, Randolph, Vice Chair Eisen and Chair Wasserman voting, "YES", no "NO" votes, and no "ABSTAIN" votes.

## **7. Consideration of Administrative Matters.** Chair Wasserman asked if there were any questions for Regulatory Director Harriet Ross regarding the Administrative Listing.

(No members of the public addressed the Commission.)

(No questions were posed to Ms. Ross.)

**8. Public Hearing on Bay Plan Amendment 3-17, San Francisco Waterfront Special Area Plan.** Chair Wasserman stated: We will move on to Item 8. We will now hold a public hearing on the Port of San Francisco's proposed Bay Plan Amendment Number 3-17, BPA 3-17, which would update the San Francisco Waterfront Special Area Plan, an element of the San Francisco Bay Plan.

This proposed amendment would align the policies of the Bay Plan with the Port of San Francisco's Waterfront Plan, update the geographic-specific policies of the Fisherman's Wharf vicinity to match the Northeastern Waterfront vicinity, and establish a Sea Level Rise Public Education Initiative as a public benefit.

I want to make a few public remarks before we go to the formal presentation from the staff and the Exploratorium.

This is a long time coming. The proposal before us is narrow in scope, in some ways a little technical, and in some ways novel for us as a Commission. But I also think it is a very important one. It is a chance to ask ourselves some important and provocative questions.

One is, what is more important to the future of the Bay at this moment in time? Completing an existing obligation to remove fill? Or taking advantage of the fact that we have a world-class science museum, the Exploratorium, at our doorstep, and work with them to develop a public sea level rise Education Initiative that will inform and inspire residents, visitors, students, and teachers throughout the region? Which is a better use of our limited resources? How can this one action spur an even larger initiative to educate the public on the risks and the opportunities facing our shoreline?

It is clearly within the Commission's authority to make this policy decision about which of the public goods hold a greater public benefit at this time, which staff will describe in more detail. So, today as you hear the presentations from staff and members of the public, I encourage you to listen closely, to ask questions, and think about what will better serve the Bay and advance our mission.

At the same time, this proposal by the Exploratorium is important and yet a modest first step for BCDC to expand public education on rising sea level around the region. We can use it to create relationships, spark momentum and hopefully build on it to develop even more efforts in the future. We have already begun these discussions, meeting with the Exploratorium and other education experts on July 3.

Jessica Fain, our Planning Director, will introduce this item.

Planning Director Fain addressed participants: Thank you, Chair Wasserman, and good afternoon, Commissioners.

For over 20 years, BCDC and the Port of San Francisco have worked together on the existing San Francisco Waterfront Special Area Plan to bring that plan to life. That process has resulted in many successes, but like all policies, they must evolve with time. So, the Staff Recommendation you will hear today focuses, as Chair Wasserman mentioned, on two narrow but important sets of changes.

First, it will fulfill BCDC's previous policy commitment to modify the rules regarding redevelopment of piers at Fisherman's Wharf, allowing for more flexibility to revitalize those piers while preserving fishing industry and public access benefits.

And at the Exploratorium's facilities at Piers 15/17, swapping in a Regional Sea Level Rise Education Initiative rather than removing some fill at a location yet to be identified as a public benefit.

There is also some other minor changes to postpone certain deadlines and remove outdated language and terminology that we will go through.



So, today is step two of BCDC's three-step Bay Plan amendment process. Last November you took step one when you voted to re-initiate consideration of this amendment. Today is step two, we are holding a public hearing on staff's preliminary recommendation, which was circulated on May 2.

Step three, Commission resolution and vote, will follow, hopefully in August, with a final staff recommendation and a response to public comments.

Overall, staff believe that these targeted changes presented to you provide a strong policy framework that will result in a revitalized and resilient Fisherman's Wharf and a Rising Sea Level Rise Education Program that will serve the public and help spur and connect with a larger education movement throughout the region and beyond.

So, I will now turn it over to Ben Dorfman to provide the staff recommendation and presentation.

Coastal Program Analyst Dorfman presented the following: Thanks, Jessica, and good afternoon, Commissioners. My name is Ben Dorfman. I am a Coastal Program Analyst on the Long-Range Planning Team here at BCDC. Today, I will be providing you with an overview of Bay Plan Amendment Number 3-17, a targeted update to the San Francisco Waterfront Special Area Plan. This is a public hearing today for the Bay Plan Amendment. There will not be a vote on this item today.

The Applicant, the Port of San Francisco, and BCDC staff have been collaborating closely on this project; and staff from the Port Diane Oshima, and Exploratorium, Emma Greenbaum, Rob Semper and Susan Schwartzenberg, are here today and will present after me, and they will also be available to help answer any questions after all three presentations.

First a brief overview of the agenda for today. The Special Area Plan is complex, and the amendment has quite a long history so I will do my best to summarize that history to help contextualize the Bay Plan amendment in front of you today. Because of that history this presentation will be on the longer side. It will take around 30 minutes so please bear with me.

I will start by covering the background of the Special Area Plan. And also just to clarify this at the beginning, I will refer to the San Francisco Waterfront Special Area Plan as the SAP, short for Special Area Plan, just for the sake of simplicity while speaking.

Following the background, I will discuss the changes being proposed in the Fisherman's Wharf vicinity.

And then the Piers 15/17 public benefit swap.

And then other general changes included in this amendment.

After that we will summarize the public engagement process of this BPA.

And then we will close with the next steps.

And after I present, I will pass it on to the Port of San Francisco who will present on the need for this Bay Plan amendment, and also summarize the public benefits they have provided as part of this SAP so far.

And finally the Exploratorium will give a presentation that covers their Sea Level Rise Public Education Initiative in more detail.

I am going to start with some history and background on the SAP to help provide context for the changes being proposed today in BPA 3-17.

The Port of San Francisco was originally constructed on public trust land. The Port itself was first owned and operated by the state of California. In 1968 the state legislature passed the Burton Act, which conveyed the Port public trust lands to the city and county of San Francisco and the Port became a city agency.

At that time, the Port had difficulty developing its aging infrastructure and piers under existing BCDC rules and so to help guide development of the Port and normalize planning between the Port and BCDC, the San Francisco Waterfront Special Area Plan was created.

The McAteer-Petris Act allows for the Bay Plan to contain or incorporate by reference Special Area Plans with more specific findings and policies for portions of the Bay and its shoreline. It established in 1975 - this SAP as one such plan.

The plan established policies for projects within the Commission's jurisdiction from High Street Pier in the north to India Basin in the south. The SAP has three specific geographic vicinities, as you can see on the slide here. Starting in the north there's Fisherman's Wharf, which begins near High Street Pier and extends down to Pier 39. Then there is the Northeastern Waterfront which runs along the Embarcadero and ends near the Giants stadium. And then there is the Southern Waterfront, which continues south until India Basin.

Each geographic vicinity has its own different policies and the changes being proposed today in this Bay Plan Amendment are only in the Northeastern Waterfront and the Fisherman's Wharf. This BPA does not affect the Southern Waterfront.

To help facilitate development at the Port, in the early 1970s BCDC adopted policies called the Replacement Fill Policy, or the 50% Rule, which is what I will refer to it as throughout this presentation.

The McAteer-Petris Act typically does not allow for fill in the Bay for non-water-oriented uses that have alternative upland locations. However, through these policies, the Commission did allow for repair, reconstruction and reuse of existing piers that have some uses that have an alternative upland location, such as restaurants and visitor-oriented retail, also known as Bay-oriented commercial recreation, provided that the project satisfied the 50% Rule.

The 50% Rule contains two basic requirements. First is that new piers must be smaller in overall size, and second, 50% of the reconstructed pier must be dedicated to open space or public access. And these policies remain in the Bay Plan and the SAP today.

However, the 50% Rule did not work as it was envisioned. The original SAP did not result in the intended revitalization of the San Francisco Waterfront.

Repair, reconstruction and seismic strengthening of piers was and remains costly. In fact, the only project that did successfully satisfy the 50% Rule while providing sufficient capital to repair and reconstruct a pier was the Pier 39 Project, which opened in 1978.

Standards in the original plan, including the 50% Rule, were seen as too specific to allow needed flexibility.

And another constraint that limited development was the limited demand for uses that were exclusively water-oriented.

So now moving forward in time a bit. In 1997 the Port of San Francisco adopted its Waterfront Land Use Plan. This Waterfront Plan is the master land use planning document governing Port property. While giving first priority to maritime uses, the Waterfront Plan pushed for diversity of uses and activities beyond just visitor and tourist-oriented developments like Pier 39.

So then in 2000 with the new Land Use Plan in hand and understanding the goals of the original SAP had not been accomplished yet, BCDC and the Port comprehensively amended the SAP. And part of this amendment created new policies for the Northeastern Waterfront, substantially revising the restrictions on repair and reconstruction of existing piers in the Northeastern Waterfront.

The 2000 SAP Amendment was developed based on a comprehensive planning approach in the Port's Northeastern Waterfront. You can think of the 2000 Amendment as a negotiation or an exchange where BCDC removed several requirements that allowed the Port to attract investment to redevelop its existing piers. In exchange, the Port agreed to provide public benefits throughout the Waterfront.

Specifically, BCDC agreed to remove the 50% Rule, the water-oriented use and alternative upland location restrictions for the repair and reconstruction of existing piers in the Northeastern Waterfront. And in exchange for removing those requirements the Port agreed to provide certain public benefits that were identified to meet BCDC's goals.

I will cover these public benefits in more detail in later slides, but overall they are for specific public access and public plazas, open water basins and open water areas, views of the Bay, historic preservation, and others.

So, since some BCDC requirements were removed in the Northeastern Waterfront, what replaced those rules? We call it the SAP Public Trust Policy. The repair and reconstruction of existing piers in the Northeastern Waterfront now must be consistent with the public trust and the Port's public trust grant, the Burton Act, which I discussed earlier.

The Burton Act, unlike some other public trust grants, provides that the Port may lease trust land for non-trust uses as long as the funds from those non-trust uses are used to support public trust uses.

A good example of how this works in reality is the Ferry Building, where the office leases on the second story, which are using non-trust uses, they go to support the historical rehabilitation and operation of the Ferry Building, with the first floor containing public trust uses like restaurants.

Other requirements of the McAteer-Petris Act like the Bay fill. That Bay fill must be the minimum amount necessary and the requirement that projects provide maximum feasible public access still apply, as do all the other policies of the Bay Plan.

Rather than the one-size-fits-all approach taken previously by the 50% Rule. This new approach takes a more flexible project-by-project approach to providing public access in association with fill projects.

So, the result of that 2000 Amendment was a plan that attracted more investment and more development to the Waterfront. It has encouraged new uses and provided safety and seismic improvements to existing piers.

Some of the development that resulted from the changes in the 2000 SAP Amendment include the restoration of the Ferry Building, the rehabilitation of Piers 3 and 5, the development of the Pier 27 Cruise Ship Terminal, and the Exploratorium, which will come up again in later slides, among other projects.

I should note that since 2000 there have been a number of amendments to the SAP, primarily to accommodate specific projects such as the Exploratorium or the Cruise Ship Terminal. But the main policy framework for the Northeastern Waterfront has not changed.

In addition to those successful redevelopments along the Northeastern Waterfront, the 2000 SAP Amendment resulted in many public benefits, as I noted before, that were included in the negotiation of the Amendment. These public benefits include the removal of deteriorating piers to allow the public to feel close to the Bay, creation of public access areas, and the retention of open water areas to prevent further fill. These public access and open water areas could not otherwise be achieved through BCDC's permitting authority for individual projects.

Some examples of the public benefit projects that have resulted from the 2000 Amendment include the construction of the Brannan Street Wharf Public Access Park. It is actually where I go to eat my lunch most days in the office, fun fact. And the public park at the Pier 27 Cruise Terminal Plaza. As well as the creation of open water basins from the removal of Piers 12, 24, 34 and 36.

So, public benefits play a key role in this SAP and in this Bay Plan Amendment as well. But what exactly are they? It is important to differentiate between public benefits and the public benefit requirements in this SAP and between mitigation and public access requirements associated with specific projects or permits.

The past public benefits that I just described on the previous slide are all spelled out in the SAP and the Port has completed the majority of those agreed upon in the 2000 Amendment.

So, the critical thing to understand is that the public benefits provided by the Port are not mitigation for fill impacts from any specific project. They are not required to maximum feasible public access associated with the permit for a project. Instead, they are a way for the Port and BCDC to comprehensively plan benefits that enhance the Waterfront. They were negotiated in exchange for the changes to the regulatory rules in the 2000 SAP Amendment for the Northeastern Waterfront.

Importantly, the Commission can determine what public benefits are appropriate as part of this exchange in the SAP.

With that background in mind that now brings us to Bay Plan Amendment in front of you today, BPA 3-17.

The Commission responding to an application by the Port of San Francisco initiated BPA 3-17 in September of 2019. At that time the intention was for a comprehensive update to the SAP.

Commission and Port staff did work on the update for several years, but unfortunately there were several delays.

So then in 2023, Commission and Port staff met to improve coordination between the agencies, and as a result of these discussions developed a Memorandum of Understanding or an MOU. The MOU provided for a more narrowly focused SAP amendment to help tackle immediate issues identified by the Port. A comprehensive amendment will occur later, to be informed by the Port's resilience studies and BCDC's work on the RSAP. The Commission voted to authorize that MOU in December of 2023.

And then in November of 2024 the Commission voted to reinstate BPA 3-17. As Jessica mentioned, this hearing today is the next step in the Bay Plan Amendment process after the reinstatement vote.

The 2023 MOU helped outline a revised approach to BPA 3-17. There are two primary components that I want to talk about today.

First is applying Northeastern Waterfront policies in place of the 50% Rule to the Fisherman's Wharf geographic vicinity.

And second is a public benefit swap at Piers 15/17, changing a fill removal requirement for the Exploratorium to instead require a Sea Level Rise Public Education Initiative.

There are other smaller changes that include delaying certain public benefits and updates to terminology and findings to remove outdated information and align the plan with the Port's 2023 Waterfront Plan.

And lastly, there is a mutual understanding between the Port and BCDC that comprehensive update to the SAP is needed and will be undertaken after this BPA.

I will spend the rest of the presentation providing you with more context to help you understand exactly what these first two items are.

To dive into changes being proposed in this Bay Plan Amendment I will start by covering the changes being proposed in the Fisherman's Wharf geographic vicinity, which is the Port's northernmost jurisdiction, as you can see on the map there.

As I just previously described, the major amendment to the SAP in 2000 applied the SAP Public Trust Policy in place of the 50% Rule, only in the Northeastern Waterfront. In exchange the Port agreed to provide a package of public benefits. However, the 50% Rule was left intact on Fisherman's Wharf.

So now after completing some previously agreed upon public benefits within Fisherman's Wharf the Port has applied to remove the 50% Rule from Fisherman's Wharf, with the goal of having the same policies apply to both the Northeastern Waterfront and Fisherman's Wharf.

Why was Fisherman's Wharf left out of that original 2000 SAP Amendment?

When that amendment was being negotiated for the Northeastern Waterfront, there was mutual interest by the Commission and the Port to also apply the same rules to Fisherman's Wharf as the Northeastern Waterfront. But at the time, the Port and the Commission could not reach an agreement about the exact public benefits the Port would provide in exchange. So, instead, they came to an alternate agreement where the Port and BCDC agreed to delay the policy changes in Fisherman's Wharf until the completion of a major public plaza and open water basin within the Fisherman's Wharf area. After following the public process and once those agreements were complete, the Port could then request for the same policy changes to happen within Fisherman's Wharf.

This agreement was put into policy in the SAP and the Commission and Port undertook required public studies in 2004 and 2014. And then the Port did construct the Pier 43 Bayside Promenade and a plaza at Pier 45, which created about 36,000 square feet of public access space. And the Port also created the open water basin by removing Pier 43½, which is about 77 square feet of fill removal.

Overall, the Port has successfully completed these requirements and is now applying to implement the SAP Public Trust Framework in place of the 50% Rule in Fisherman's Wharf, consistent with the agreement described in SAP policy and also in the 2023 MOU.

This policy change would align the SAP with the Port's Waterfront Plan, removing not only the 50% Rule but also the water-oriented use and alternative upland location requirements in the McAteer-Petris Act, putting in place the SAP Public Trust Policy which also exists within the Northeastern Waterfront.

Applying the SAP Public Trust Policy to Fisherman's Wharf would improve the ability of the Port to attract investment and to undertake seismic or major structural repairs.

Existing pile-supported piers that predate the Commission have been evaluated as Bay fill and are thus subject to the 50% Rule under the current SAP. This has created a significant challenge for preexisting businesses to repair and maintain the piers on which they operate. We anticipate this will become more important as the Port undertakes projects to improve its sea level rise resilience moving forward.

Frankly, all of the Bay Plan policies on relevant topics would still apply in Fisherman's Wharf. For example, the Bay Plan commercial fishing policies that protect fishing as an important Bay industry. As a result, any Fisherman's Wharf project must protect existing commercial fishing uses.

Applying the SAP Public Trust Policy in place of the 50% Rule would not result in a reduction of any public access or placement of any unnecessary Bay fill. It would eliminate the requirement that a replacement pier devote 50% of its space to public access. But in place of the strict formulation for public access, the Commission would apply the requirements of the McAteer-Petris Act as it applies throughout the rest of the Bay, requiring maximum feasible public access consistent with the project.

Additionally, without the 50% Rule's fill removal requirement, BCDC's otherwise applicable laws and policies continue to apply, including that fill must be the minimum amount necessary and that mitigation may be required for project impacts to Bay resources.

And lastly, this Bay Plan Amendment does include pier-specific use recommendations to help identify uses to be considered. Any major reuse or new development projects in Fisherman's Wharf, and while not mandatory uses, they should be considered for any future projects once the project begins to be developed.

We are now done with the proposed changes in the Fisherman's Wharf area, and we are going to transition to the second major change this BPA proposes, which is a proposed public benefit swap involving the Exploratorium at Piers 15/17. On the map here you can see the large red arrow is pointing to Piers 15/17, which is located in the Northeastern Waterfront.

So, one of the original benefits included in that 2000 SAP Amendment concerns Bay fill removal at Piers 15/17 where the Exploratorium is now located. The SAP required that the Port remove the deck and pilings that form the valley between Pier 15 and Pier 17 as part of the overall public benefits package that was negotiated. On the slide here you can see the original area of Bay fill that was supposed to be removed. That red dashed area between the two piers is the valley.

It is important to recognize that this Bay fill removal is not compensatory mitigation for impacts in the Bay from the Exploratorium Development Project. It is a public benefit included in the SAP which allows for more flexibility than if it were a mitigation requirement. The fill removal requirement was actually in place before the Exploratorium was located at Piers 15/17, so altering this requirement does not mean that there is going to be some type of impact left unmitigated from the Exploratorium Project.

The original fill removal requirements at Piers 15/17 have actually already been changed since they were put in place in 2000. When the Exploratorium Project was brought to the Commission for approval in 2010 the Commission found that some of the fill area between Pier 15/17 was important to the overall benefits provided by that project as it serves as a connection between the two piers that pedestrians can use when visiting the Exploratorium. You can see that in this image here on the slide.

So, when the Commission approved the Exploratorium permit it also amended the SAP via Bay Plan Amendment Number 1-09 to revise these fill removal public benefit requirements.

So rather than require removal of all the fill where it originally was located at Piers 15/17, the revised policy said that the Port and Exploratorium could remove fill at a different location along the Waterfront. And again, this is just a reminder that fill removal is not mitigation for Bay impacts. It is part of the public benefits package, hence the ability to move its location.

So, the current requirement is not a requirement to remove fill at a certain location or even to remove a specific amount of fill. Instead, it is a requirement to find a location for where fill removal is appropriate and then to remove a certain amount of fill based on where that location is.



If the location is located outside of the Northeastern Waterfront, more fill should be removed than if it were inside the Northeastern Waterfront using a 2:1 ratio. The intent of that ratio system was to encourage the Port to conduct fill removal closer to the original location of Piers 15/17. However, there is limited fill removal opportunities along that area of the Waterfront, which has resulted in the ratio system making it more difficult for the Port to achieve this public benefit.

The permit which authorizes the Exploratorium Project enforces the SAP policy and specifies how much fill is being left at Piers 15/17, and requires the Port and Exploratorium to comply with SAP fill removal policy.

And due to a number of reasons, including the complexity of the ratio-based fill equation, the Port and Exploratorium have stated they have found it challenging to meet this fill removal requirement, resulting in the permit being amended multiple times to extend the deadline. In their presentation after this the Port will further discuss the difficulties of the requirement as it is currently written.

The Port and Exploratorium now propose an alternative public benefit in place of the complex fill removal public benefit; this new one being a Sea Level Rise Public Education Initiative. The proposed swap of the fill removal public benefit for the Education Initiative has been presented in concept to the Commission on three prior occasions, a briefing in February of 2021 as part of authorizing the MOU in December of 2023, and again at the reinitiation vote in November of 2024.

If approved, the Education Initiative would be designed to increase public knowledge of sea level rise and public engagement with sea level rise adaptation efforts. Centered around the Exploratorium at the San Francisco Waterfront but with benefits that extend around the Bay.

The Exploratorium has developed a draft proposal, which can be found in Appendix 3 of the Staff Report, and the Exploratorium will also give a more in-depth presentation on the details of the Education Initiative after I and the Port present today.

When considering the two public benefits it is important to note that the 2000 SAP Amendment did not consider climate change or sea level rise adaptation at the time.

In the time since the original fill, the removal public benefit was created, BCDC and the Bay Area have been increasingly focused on issues related to climate change and the vulnerability of the shoreline to sea level rise and increased coastal flooding.

The Education Initiative would align with and help support more recent BCDC efforts in these areas including the 2011 Bay Plan Climate Change Policies, the Bay Adapt Joint Platform, San Francisco Shoreline Leadership Academy, and the RSAP. Specifically on the slide here you can see the Bay Adapt Joint Platform Action 3 is aimed at broadening the public understanding of climate change impacts and science.

The Port of San Francisco, Exploratorium and BCDC staff have all collaborated on several outreach efforts to ensure the Commissioners, partners, Bay Area Native American tribes and Bay Area educators have had an opportunity to review and comment on the education proposal.

On March 5 of this year a San Francisco Waterfront Special Area Plan Commissioner Working Group meeting was held in which in which Commissioners and members of the public discussed the Education Initiative primarily. Commission Chair Zack Wasserman and Vice Chair Rebecca Eisen attended as well as BCDC, Port and Exploratorium staff. BCDC invited Bay Area K-12 teachers who focused on climate education, executives of national teaching associations, and also experts in museum exhibition creation.

Overall, the feedback from Commissioners, experts and members of the public was positive, conveying excitement about the initiative. Targeted feedback was provided to the Exploratorium on how to improve the proposal by focusing on a place-based education approach. Experts supported maximizing the Exploratorium's location along the Waterfront.

Feedback also emphasized the need for creating clear program metrics around equity to ensure that the program benefits diverse communities around the Bay who will be among those most impacted by sea level rise.

It is also just important to note that you would not be approving the Education Initiative today as-is. The draft mailed out for review will continue to be refined until it is finalized through the permitting process.

On this slide and the next I will provide some details on the actual policy changes that would need to be made to the SAP to enact this public benefit swap.

The policies pertain to the fill removal requirement at Piers 15/17 would be removed and four new policies describing the Sea Level Rise Education Initiative would be added to the SAP. These policies would codify the Initiative's goals, subject matter, and commitment to making it free and publicly accessible.

The new Education Initiative policies can be found on page 37 of Appendix 1 of the Staff Report.

Sea Level Rise Public Education Initiative Policy 1 states the program shall achieve its primary goals of increasing public understanding of sea level rise in the Bay Area, elevating public awareness of regional adaptation initiatives, and expanding student engagement with sea level rise content.

Policy 2 states that Education Initiatives shall be free and publicly accessible; and also contains a list of topics to be included in the programming ranging from sea level rise drivers like land ice melt and thermal expansion of ocean waters, all the way to nature-based solutions and adaptation pathways.

Policy 3 focuses on developing timelines and performance metrics.

And Policy 4 states the initiative shall incorporate equity, environmental justice, and community engagement throughout its development.

The full policy language and all changes made to the SAP can be found in Appendix 1 of the Staff Report. Again, the Exploratorium will describe this initiative in more detail after I present.

Just as this Education Initiative is just a small part of a larger public benefits package, it would also be a relatively small piece to a larger Bay Area climate education puzzle. However, creating any and all opportunities for Bay Area residents to learn about sea level rise and its widespread impacts is critical to fostering participation in the process to increase the climate resilience of the San Francisco Waterfront and the larger Bay Area.

Considering the urgency of sea level rise and the need for public involvement in adaptation planning and considering current BCDC priorities, staff view the Education Initiative as a greater public benefit than the currently required Bay fill removal public benefit. The initiative will reach thousands of individuals walking down the Embarcadero or in classrooms throughout the Bay or at pop-up sites throughout the region, who otherwise might not think of sea level rise and its impacts in their day-to-day lives.

Questions about the cost of fill removal compared to the cost of the Education Initiative have been raised previously and they were discussed at the Working Group. While the Port will talk more about this, just a quick note to clarify. The Commission has broad latitude in how it considers public benefits. The purpose of public benefits in the SAP is not to impose costs on

the Port, but rather to provide meaningful projects and programs that benefit the public of the entire Bay Area at the Waterfront. There is no requirement that a public benefit must cost the same or more than the public benefit that it is replacing. It is simply a question of which activity would result in a greater benefit to the public based on Commission priorities.

That being said, the Port and Exploratorium have stated they have found it challenging to meet the fill removal requirements, resulting in the permit being amended a few times. The Port states that it has limited fill removal opportunities because several piers and other pile-supported fill have already been removed as required under the current SAP or were needed to create other parks and public access improvements.

Fill removal would require multiple sites with unique costs at each site that would all need to be determined through a construction bidding process. And since the original estimate of around \$1-2 million for the fill removal, costs would likely now be at least three to four times higher.

Over the last several years the Exploratorium has instead focused on fundraising to support public exhibits, science education, teacher training and other elements that are included in the Education Initiative and they have successfully raised several million dollars to this end.

If the Commission approves BPA 3-17, several regulatory actions will be necessary to implement this policy change.

The Exploratorium permit would need to be amended to remove the fill removal requirement, and the permit amendment would also include the new condition incorporating the final proposed Sea Level Rise Public Education Initiative, which would govern the implementation, monitoring and evaluation of the Initiative.

Any projects implementing the Exploratorium's proposed initiatives such as a temporary or long-term exhibits along the Waterfront would need to be authorized through a new permit or an amendment to an existing permit.

The Port and Exploratorium have begun collaborating on a permitting strategy with the goal of completing permitting changes quickly should the Commission approve this policy amendment. If the amendment is approved, the Port, Exploratorium and BCDC staff would work to administratively amend the permit later this summer. But we would incorporate briefings on the development and progress of this Initiative to the Commission.

The Education Initiative would be finalized and ultimately approved by the Executive Director through the permitting process.

That is all for changes, including part of the public benefit swap. There are a few more general changes in the SAP I want to cover. These include some modifications regarding postponing the dates for some outstanding SAP public benefits, removing outdated and obsolete information from terminology and findings in the policy, and updating the SAP maps to reflect this BPA. Those updated maps can be found in Appendix 2 of the Staff Report.

The Port and BCDC agree that comprehensive update to the SAP in the future is necessary to refocus it and address the need for resiliency across the Waterfront. Until that comprehensive update can begin, the Port and Commission agreed as part of the 2023 MOU to postpone those certain public benefits to allow for planning efforts that are either underway or about to begin, which would help inform that comprehensive update. These efforts included BCDC's recent adoption of the RSAP, the US Army Corps of Engineers San Francisco Waterfront Flood Study, and planning work being done by the Port of San Francisco's Waterfront Resilience Program. The Port will go over in more detail which exact public benefits have been completed and which will be extended. And again, a comprehensive list of all the changes made to the SAP

can be found in Appendix 1 of the Staff Report.

So, a quick slide covering public engagement efforts so far. Both BCDC and Port staff have conducted significant public outreach for BPA 3-17 to ensure that local stakeholders are aware of and accepting the changes to the SAP, and also to provide opportunities for engagement in the development of the Sea Level Rise Education Initiative.

Port of San Francisco staff briefed the Port Commission on BPA 3-17 at a public meeting at the end of 2024. BCDC staff attended that briefing and were available to help answer questions. Port Commissioners expressed support for BPA 3-17, especially related to aligning Fisherman's Wharf policies with the Northeastern Waterfront policies that would help the Port undertake significant structural repairs to existing piers.

BCDC also requested government-to-government tribal consultation with Bay Area Native American tribes. In January of 2025 BCDC mailed consultation letters to tribal representatives of seven Bay Area tribes. The Association of Ramaytush Ohlone responded saying they had no concerns regarding the policy changes in Fisherman's Wharf, but they did emphasize their desire to collaborate with the Exploratorium on the development of the Education Initiative. The Exploratorium and Association of Ramaytush Ohlone have been in contact, and they will continue to work together moving forward.

In addition to all this targeted outreach, BCDC has a comprehensive Interested Parties list, which we have mailed updates and documents to throughout the BPA process. This IP list contains a combination of BCDC's usual mailing list, suggestions from the Port and parties who have been invited to participate throughout the many years of the BPA 3-17 process including Bay Area K-12 teachers, tribal representatives, local nonprofits, and many others.

So far, we have received one public comment from the Environmental Literacy and Climate Resilience Program Administrator of the San Francisco Unified School District in support of the Sea Level Rise Education Initiative and the public comment has been circulated to all Commissioners for your review.

To wrap up I will go over the next steps for this Bay Plan Amendment. While it may not look like it quite on the slide we are actually nearing the end, which is exciting.

As I mentioned before, the Commission voted to reinstate BPA 3-17 in November of last year, and then BCDC staff mailed out the preliminary Staff Report and Recommendation and also the draft of the Amended SAP on May 2 of this year.

We are having our public hearing today.

We will hopefully have a final Commission vote on August 21. There is no vote today, but to approve the Amendment we will need a two-thirds affirmative vote by the Commission, which is 18 votes.

And then if approved staff will move forward with the corresponding permitting steps, which I described earlier.

Additionally on this slide there are two more administrative steps that will need to take place after the Commission vote. We will need to submit the Plan and accompanying documentation to the Office of Administrative Law for approval. And second, because this constitutes a change to our Coastal Management Program, we also need to submit the plan to NOAA for a final approval. BCDC staff will handle these later this year if the BPA is approved.

Thank you. This is my final slide, and I will pass it on to Diane from the Port of San Francisco and will be available to help answer any questions afterwards.

Ms. Oshima addressed attendees: Good afternoon, Chair Wasserman and Members of the Commission. I am Diane Oshima with the Port of San Francisco. It is my pleasure to be here today to provide a little bit more information about the objectives and purposes of the

proposed amendments, and then I will be followed by the Exploratorium team to give you the details of the public education proposal.

That was quite a comprehensive review that Ben just provided. There is a very long history here. But I think from our perspective we want to just point out the importance of the Special Area Plan in really aligning the Port and BCDC in doing improvements that both of our organizations understand in a comprehensive context.

The Special Area Plan, really its gift was to do a comprehensive plan that looked at the Waterfront holistically to identify the choice places where you want to create those parks, the places where you want to remove fill to create viewing areas of the Bay and really high-level public access. And to do that in a comprehensive plan versus a project-by-project basis really I think yields superior results and we are very proud of what has been achieved so far.

That comprehensive plan process which aligned BCDC and the Port's Waterfront Plan included the creation of the Historic District, the Embarcadero Historic District, including the Ferry Building. Really, that is a key part of the framework of what the urban Waterfront character is for San Francisco. And this policy change to allow for both a full fledge of maritime uses along with a wide array of public oriented uses was key to our vision from the outset, which has been very successful to date.

A key to that whole transition was this Public Trust Use Policy change in the Northeast Waterfront to eliminate the 50% Rule between Pier 35 and the ballpark and to replace it with the Public Trust Use Policy that gave us the flexibility to be able to widen the aperture of how many different kinds of activities and public events that could be offered along the Waterfront together with economic uses that could finance the very expensive historic preservation, seismic improvements, and repairs that were needed to sustain new development.

So that Public Trust Use Policy, it made it economically feasible to make transitions on the Waterfront like the Ferry Building, like the ballpark, like the Exploratorium. And each of those projects delivered public access that also were coordinated into a fabric of a connected public access network between Pier 35 and China Basin. Outcomes that you wouldn't be able to really expect if you are only getting the public access on a project-by-project basis.

Ben indicated a number of the public benefit requirements of the Special Area Plan. In the bulleted list here, we have done a number of things. They were conditions on the Port in exchange for getting that Public Trust Use Policy:

To remove five piers along the Northeast Waterfront; the creation of two new major waterfront parks, the Brannan Street Wharf, and the Cruise Terminal Park at Pier 27. Those five piers, that constituted 379,000 square feet of fill that have been removed in locations which have created open water basins and viewing areas for the public.

We also coordinated our agency reviews of projects so that we could align on the design and the implementation of projects by coordinating the BCDC Design Review Board and the Port Cities Waterfront Design Advisory Committee. And they met regularly and jointly to provide both City and Port along with BCDC input so that the projects could really be shaped to meet multiple objectives across all of our agencies.

There are some Special Area Public Benefits that have not been completed yet that we are proposing to be deferred to the next phase of the Special Area Plan amendment process that Ben described in his presentation. They are the determination of a fourth open water basin location, public access improvement of the apron at Pier 23 South, public access improvement at the Pier 19 North apron and the Pier 19½ wharf, a Bayside History Walk public access feature within Pier 29 and Pier 29½, and an open space improvement at the end of 29.

These improvements have been continued on to be considered as part of the next phase of the Special Area Plan review, which will consider the effects of all of the resilience adaptation planning work that BCDC has been doing in the RSAP and Bay Adapt and the Port has been doing as part of the Waterfront Resilience Program. Those are key factors to influence how and in what manner we can deliver on those or other public benefits.

So, now we will just switch over for a moment to the Fisherman's Wharf Special Area Plan proposal. Ben did such an excellent job explaining the whole history of what has happened in Fisherman's Wharf, but we thought that it would be helpful to give the Port's perspective as well.

Basically, what we are seeking for the Fisherman's Wharf area is to build on the success of what we have achieved along the Northeast Waterfront.

We seek to remove that 50% Rule Policy and replace it with the same Public Trust Use Policy, and then thus creating a consistent policy framework for the entirety of the Northern Waterfront.

The 50% Rule, as Ben noted, is not economically feasible. It does not support the cost of pier repairs, seismic upgrades, with a limited pallet of uses that it allowed. And as a result, pier businesses have been unable to repair and maintain facilities. They have deteriorated to a point where several of the Wharf's iconic family restaurants have closed and shuttered. They cannot be released. And there are many associated public access areas there that also have deteriorated and have become unsafe as a result of all of this.

There are also significant seismic safety needs of those businesses as well as the seawall and the wharves for the infrastructure of the Wharf, all frustrated by the 50% Rule. So, it has really become an untenable situation, given especially that Fisherman's Wharf is such a major regional destination area.

The Public Trust Use Policy is one that has been road tested. It has allowed us to reconstruct piers, make seismic improvements, and this policy has produced very successful outcomes along the Northeast Waterfront that aligns with the Port's Burton Act responsibilities and thus we seek to have those same kinds of benefits extend into the Wharf as well.

The Public Trust Use Policy would enable the Port to maintain the fishing industry, the largest in the state, and support seawall resilience, pier and wharf reconstruction. And towards that end the Port has created the Fisherman's Wharf Forward Strategy, a program to reinvest and revitalize Fisherman's Wharf, fishing and commercial businesses, and public access. These types of improvements rely on this policy change to refresh the heart of Fisherman's Wharf and provide a unified policy framework for the Northern Waterfront.

As Ben indicated, the Special Area Plan did lay out some preconditions for removing the 50% Rule. It included creating a public plaza and an open water basin. And towards that end, in the intervening years after 2000, Port and BCDC conducted public processes to determine the public access desires and priorities that the public wanted to see, and that is what ultimately led to the decision to take the northern edge of Fisherman's Wharf in the heart of the Wharf, Pier 43 Promenade, and turn it into a promenade that extends that public walkway along the water's edge, just like the Embarcadero Promenade extends in the Northeast Waterfront. Continue that into the Wharf with the public plaza as well right at the foot of Pier 45.

San Francisco voters approved geo bonds to finance this public access project, and it provides key beautiful, magnificent views of Alcatraz Island. If you have not been out there it is a choice place to stand and enjoy the Bay, Alcatraz, the fishing industry, the excursion boats, and it really kind of has that intersection of all of those different public delights in an open water basin location.



The 50% Rule was intended to achieve public access and fill on a project-by-project basis but that actually never occurred except for Pier 39. There were many attempts to try and achieve that and there are many failed projects on the record to show that it was not successful.

But instead, through the coordinated plan process that our agencies have engaged here, we feel that we really landed on a location that actually had been blighted by a deteriorating parking lot. This public promenade was the Pier 43 parking lot, 77,000 square feet of fill that the Port removed in order to build this promenade instead. So, the tradeoff of just the physical change in this particular strategic location really delivered big for public benefits.

And this improvement here also filled a gap in our public access network that extends along the Embarcadero up through the wharf and then connecting up to Aquatic Park under the National Park Service jurisdiction further to the west and north. So, we think it is a good idea to get rid of this 50% Rule in Fisherman's Wharf.

Now with respect to the Exploratorium SAP amendments I am just going to give you some background about some of the policy issues that have been raised here, and the Exploratorium team will give you the details of the actual education program.

As Ben mentioned, there was a fill removal requirement and the Port and the Exploratorium seek this amendment because we think that sea level rise, resilience public education, actually there is an urgent need for that and that is a legitimate public benefit. They have created a multi-faceted program that really we are very excited about.

But we recognize that for this Commission the idea of trading off fill removal for a public education program is a pretty big policy question, and so we wanted to dive into that a bit further.

When the Special Area Plan fill removal requirement was imposed on the Exploratorium, that was back in 2012 and at that time public benefits were really only focused on fill removal and public access. The Exploratorium and Port have joint roles in meeting that obligation, removal of 108,000 square feet of fill.

The Exploratorium was to provide funding for the removal, which at that time we estimated to be in the order of \$1-2 million.

And the Port would locate and lead the fill removal work itself.

Now, the Exploratorium relies on fundraising to pay for this work and despite their dedicated efforts they had not been able to raise adequate funding. Donor interest is low. It does not align well between fill for fill removal when their focus is on science education and the Exploratorium's mission and since 2012 that funding gap has grown even further.

Separate from the Exploratorium's requirement, however, the Port still has been removing fill in a strategic and opportunistic way, and we have removed a significant amount along the entire San Francisco Waterfront. Since 2000 the Port has removed 600,000 square feet of fill, including the 370,000 required by the Special Area Plan requirements. The other fill removal was in the Southern Waterfront as part of public access and Bay projects and to remove water quality and to improve navigational safety. And that is in addition to the 77,000 square feet of fill removed at Pier 43 with that parking lot which we are offering for the trade off to the 50% Rule in the Wharf.

So today we actually do not have a whole lot of fill removal sites that are left. They are limited. They are smaller in size. In order to meet the obligation under the current Special Area Plan you would have to really consolidate a number of different sites, which drives up the cost overall and so it is just kind of frustrated our efforts to try and meet that objective.

Alternatively, during this period when we were trying to solve for the fill removal, that is when BCDC and the Port really started diving into resilience adaptation planning. Given the science-based education mission that the Exploratorium is known for it became apparent to all of us that this public benefit opportunity presented itself as something that was needed to fill a very urgent need that could not be replicated easily, in a context where Bay fill removal has been something that has been an ongoing effort on the part of the Port and other applicants.

So, we all saw this opportunity. It is a new public need. There are very few entities that can deliver the kind of content and knowledge and have the experience that the Exploratorium has to be able to connect with people with information that they can understand. And so, the Exploratorium, even before we changed our Special Area Plan requirement, they jumped into the work that BCDC was doing on the RSAP and on Bay Adapt and they came to be major partners in being able to engage the community for broader understanding. As a result, this partnership has developed that has really gestated in this public education program that the Exploratorium will present to you.

The Exploratorium on the strength of and desire and excitement that they have on this education program has redirected their own financial resources to develop the public education program that you will hear about. And unlike fill removal, they are confident that they will be able to raise the additional funds to produce and execute the program because it aligns directly with their mission.

Towards that end, they have worked with BCDC and the Port to develop the education proposal with an eye to quick implementation. So, this is a rare opportunity to fill an urgent public benefit need with the unique expertise and passion of a proven partner.

There are very few other entities that can fill this gap, to do it quickly. And especially now, is the timing as you finish this incredible RSAP accomplishment and you are taking it out to the public to expand public understanding and implementation and action. So, we are very excited to support this proposal, and I am happy to answer any questions that you may have after the presentation. Thank you very much.

Mr. Semper continued: Good afternoon. We are very pleased to be here to present our Sea Level Rise Education Plan proposal. My name is Robert Semper; I am Chief Science Officer at the Exploratorium. I will be joined by my colleagues Susan Schwartzberg and Emma Greenbaum to talk about the details of this project.

But first we would like to thank Chairman Wasserman for his longtime interest in support of this issue. If I look at my Rolodex, I see the fact that our first conversation was in 2018, so it is a long time coming. It has been very productive to have these conversations also with BCDC Commissioners who have given us their advice, their interest in this project, and also given us this time to present. And the BCDC staff and the staff at the San Francisco Port have been very important players in giving their help to our development of this plan.

So, just to give you a roadmap of the presentation that we are going to be involved with. After some introductory comments by myself we are going to talk a little bit about the pedagogy that we are putting into place for this education program. Talk about the plan overview. Something about the outcomes and precedents attached to this Plan. And timeline and phasing.

First, a little bit about the Exploratorium.

The Exploratorium is a public learning laboratory where visitors explore the world through science, art, and human perception.

Our mission is to create inquiry-based experiences that transform learning worldwide. Our vision is a world where people think for themselves. They can confidently ask questions, question answers, and understand the world around them. We value lifelong learning, curiosity,

and inclusion.

To carry this mission out we design, produce, and provide educational experiences for a wide range of audiences, families, youth, adult, teachers, and students, both locally and online, as well as for museums worldwide who take our exhibits and are planning to help them develop places related to science education.

The impact of climate change is one of the most pressing issues of our time, and sea level rise is likely to be one of the most significant consequences of climate change in the Bay Area. We therefore see it as our responsibility to be active participants in engaging the public about how sea level rise will transform our future.

So, on to the Plan. I am going to do my overview, and my colleagues will go into the details. We will be speaking about the content of the Plan and also the public benefits that the Plan provides.

There are three overall goals for the Plan: Increase public understanding of sea level rise in the Bay Area from impacts to solutions, elevate public awareness of regional cooperation initiatives and shared vulnerabilities, expand student engagement with sea level rise content through teacher professional development and field trip opportunities.

And as was mentioned earlier, the Plan is designed to meet the Bay Adapt Joint Platform Goal Action 3, broaden public understanding of climate change science and impacts, with a sub task of tell local and regional stories about people and places adapting to climate change, and to weave climate adaptation literacy into school programs.

The Plan is organized into three sets of outcomes.

Public Experience and Regional Engagement. That includes exhibits and programs at our location, engagement with local and regional partners for site-specific programming in their locations and online resources.

There is a strand of Educator and Student Engagement, which includes K-12 client classroom activities, teacher workshops and guided field trips.

And finally, Collaborative Design and Evaluation, a collaboration with BCDC and SF Port and regional partners in a program of evaluation and reporting out on the work of the Plan.

The core concepts that are to be addressed and the issues are really the ones also that the Bay Adapt Program is also addressing and highlights. Foundations of sea level rise, climate resilience and adaptation pathways, groundwater rise and toxic sites, indigenous relationship to land and sea, nature and natural-based solutions, historic ecology, land use and environmental racism, infrastructure vulnerability.

It is important to realize that we are going way beyond the causes of climate change. We are talking about the adaptation and the issues people need to know about, the educational underpinnings of the adaptation and the resilience that is needed to deal with climate change. That is really what this Plan is about.

I will now turn the presentation over to my colleagues to discuss the elements of the Plan and specifically to show you examples of some of our relevant prior work that relates to the Plan that we will be implementing. So, I am going to invite Susan to come up and begin the program about that part.

Ms. Schwartzenberg presented the following: So, one of the first outcomes is to create a Bay Field Station here on our Front Plaza. We are calling it now the Bay Shoreline Plaza. This is a suite of sea level rise exhibits and programs spanning this area. You can barely see it there. There is a grate and under the grate we put it there so you could hear the seawall and maybe even see it. These exhibits will span this grate area where we will bring attention to the seawall. With a little help from some observing devices and listening tools, the seawall can be

seen and heard. The Field Station is the very hub of our Sea Level Rise Initiative, also free and open to the public.

When we moved to Piers 15/17 over 13 years ago now, we knew we would need to bring the outside in and focus on this very juncture of the built and natural environment where our institution sits. This is a body of work we did not have in our old museum, so it was brand new, and it was really because we moved here.

Now in phase two, we are bringing the inside, the exhibits we developed inside about the Bay Area and the landscape around us, and bring those programs outside. The exhibits, programs, and conversations we have had, out to the plaza.

We take a place-based approach. What this means is that rooted in one's physical location, place-based learning connects people to their local landscape, the ecology, heritage and culture that defines their everyday experience. By focusing on one's own sense of place, landscape and community, learning can happen at a more intimate and manageable scale because it becomes very personal.

A goal of place-based knowledge in relation to climate change is that it acts to guide and inform future perspectives on policy and adaptation planning because it emphasizes participation. People now they understand, they are willing to participate. And in that way, they participate in their own, one's own home community, but also they connect to other regional issues and global phenomena. Because now that they are engaged in something they see it around them in other places.

At Piers 15/17, this is our institutional home. We know this landscape. It is a centralized location near public transportation, BART, Muni, walking, cycling, and right next to where thousands of students are dropped off annually on school field trips.

We have studied the Bay and the evolution of the shoreline. We want to be an example of what getting involved means. We have already developed some tools we have brought out here, and this kind of engagement can create an instant community through dialog that often the exhibits instigate.

Some of the things, as you see here, will be about observing and measuring. It is important to this work.

One exhibit is the underground estuary. It is an exhibit whose placement will be on the land side of the seawall and will be designed to make visible the phenomena of groundwater rising and falling with the tides, something most people do not really think about.

We will also have a number of exhibits just about the Bay, understanding the Bay. Our museum is over water and few people even know that when they come in and visit so we really emphasize the fact that we are on the San Francisco Bay.

One exhibit, the Color of Water, encourages visitors to notice that almost every day and also seasonally the Bay changes color depending on what is in the water, phytoplankton or sediment.

Another strong cultural element is with our colleagues, the Association of Ramaytush Ohlone, whose knowledge of the Bay over time gives us a better perspective of ways to care and adapt to what is coming. After all, they already experienced glacial melt 8,000, 9,000 years ago. They survived one so I think they can help us understand how to survive the next one. And this will be accomplished by developing the first stop on the Ohlone Waterfront Trail, a series of stories about Indigenous ways of knowing the land and waters of San Francisco Bay.

Transects, maps, topographies, are all useful tools that many scientists use, but we have discovered that people love maps. They love seeing topography. And by using them they can begin to understand the history of our landscapes, how they have changed, including how fill has contributed to sea level rise vulnerability.

So, I am going to turn this over now to our colleague online, Emma Greenbaum, who will talk a little bit more about our programs, teacher training and site explorations. Thank you.

Ms. Greenbaum spoke: Thank you, Susan. In addition to these built elements at the museum which will serve as our hub, we also propose spokes that stretch out across the region through pop-up style engagement. Over the past several years we have been honing this work through taking our mobile exhibits and activities on the road. We propose bolstering this work in collaboration with partner organizations.

We will also offer programmatic elements like these King Tides Walkshops. Every year we do programming around King Tides, which has become very popular. This work has been increasingly collaborative with the Port of San Francisco as our goals of educating the public about these issues have aligned. So, this is a group assembled on the Embarcadero between Piers 3 and 5 to see flooding firsthand and learn about the Port of San Francisco's Waterfront Resilience Program.

For many years we have worked with NASA and NOAA as well as visual artists to bring new ways of looking at data to the public. Online offerings could include sea level rise visualizations and links to resources like flood maps and local planning efforts, something we currently do not offer. We also hope to explore how data visualizations can be integrated into other elements of the Plan, either through programming or in the plaza installations.

As a part of this work, we will be developing activities to help K-12 educators engage their students. This is an example of a tabletop exercise demonstrating the impact of natural and nature-based solutions on erosion. In their development these activities are tested with teachers during our professional development offerings throughout the year.

This is just to say that some of the activities will then become online offerings. We will also be working on additional programming and additional trainings for teachers.

Guided field trips are also an opportunity to not only impact the San Francisco Waterfront, but we welcomed 95,000 field trip students in FY-24, 56,000 of them came from Title I schools. So, we have a huge audience with field trips.

We have also really thought about this as a collaborative effort. Within our outcomes for collaborative design and evaluation we are really hoping to continue to develop this with the Commission, with our external partners.

There is a phasing table, which was on a slide, but it is also on page 7 of the Education Plan document. We intend for that timeline to be responsive to the process of refinement with the Commission. We are already anticipating it will shift a bit.

I think I will wrap it up there. I just wanted to thank BCDC staff and the Port of San Francisco again for all their work with us. This has taken a while but it has definitely been about the friends we have made along the way. While these partnerships seem obvious in stepping back to look at what we have accomplished and how we have shaped the vision moving forward, our organizations are doing exactly what is called for in this moment, which is working together across institutions in novel ways to break down silos and offer creative solutions. We know that the public will benefit from this initiative, and it will support efforts across our organizations.

So, yes, thank you again, Chair Wasserman and Commissioners for your time. We can get into more detail in the questions or revisit some of these slides.

Chair Wasserman acknowledged: Thank you. We will now open the public hearing.

Do we have any clarifying questions from Commissioners? Again, this is just clarifying, not getting into true substance, but go for it.

Commissioner Eklund stated: Great presentation, Ben, as well as the Port of San Francisco and your other partners there.

Ben, the first question I have is for you. When you say Bay fill are you referring to the fill that was used to expand the land-based portion, or are you talking about the sediment that is at the bottom of the Bay that is removed to allow for more Port activity that are water-based?

Mr. Buehmann responded: For BCDC, Bay fill is lots of different things. It is the sediment in the Bay. It can also be pile-supported structures to be floating fill. So, like a thing that is just like a raft. It can be solid fill, like placing new Bay fill.

In this case, what they are talking about in the Special Area Plan is removing piles and pile-supported structures from the Bay. That is the primary.

Commissioner Eklund asked: So, you are talking about the piles that are actually to the water and to the soil?

Mr. Buehmann replied: So, if you go around the San Francisco Waterfront. So, the whole point of the Special Area Plan is to revitalize these, especially these old pile-supported structures, the old piers, right. Like the old bulkheads and wharves that were there. If you go along the Waterfront, you will see a lot of piles still in the Bay. At the Exploratorium site there are still pilings in-between 15/17, and then also pile-supported structures.

The motivation behind the fill removal in the Special Area Plan was we are going to find these big areas where there is old fill, like old pile-supported piers, remove them, daylight that area so that people could feel a closeness to the Bay, so they could see the Bay. You go walk around now you can see the Bay is there. Before it was not always there, it was farther away from you.

Commissioner Eklund acknowledged: Okay. Having worked for the Army Corps and EPA, when I say hear Bay fill it is sort of like, you know.

Mr. Buehmann replied: Yes.

Commissioner Eklund continued: But anyway. So, then my next question is actually for Ben too. You said that there is limited fill removal opportunities. So, are you referring to those piles or are you referring also to dredging the Port area to allow for maritime use?

Mr. Dorfman replied: Not for dredging. So, similar to the fill that Eric just described.

Commissioner Eklund confirmed: Not dredging?

Mr. Dorfman acknowledged: Correct.

Commissioner Eklund continued: Okay, that is I needed to know. And then my last question is for the Port of San Francisco. I am sorry I did not catch your first name. But the question I have here is that, obviously, I have been on hopper dredges when I worked for the Army Corps; at EPA I was in charge of the whole dredging program for EPA Region 9. But are you finding, and I thought I heard you say that you do not need to do as much dredging as you had in the past. Is that either because of a lower use of maritime opportunities or is that because there is more scouring of the sediment underneath so that you do not necessarily have to do the dredging?

Ms. Oshima fielded this inquiry: I can provide a general answer to that, because I do not have the details on the Port's Dredging Program. But there is an ongoing program of maintenance dredging that if it is maintenance then you try and keep it maintained so that you do not have to remove that much. Deep-draft vessels require more dredging. We have identification as to which berths need to be at what depths and so we have maritime staff and environmental staff that works with the agencies on the annual dredging maintenance program.



The Special Area Plan fill removal issues that we have been talking about here really are primarily focused on pile-supported piers and wharves and not dredge, because the Dredge Program has a different regulatory framework.

Commissioner Eklund clarified: So you still need that dredge program?

Ms. Oshima affirmed: Yes.

Commissioner Eklund acknowledged: Okay, got it. Thank you.

Commissioner Randolph inquired: I had a question for our friends at the Exploratorium. When you put up the slide about what the content would be for the educational program, I understand there will be fundraising associated with this. Does any part of that look toward federal funding, or would this be entirely private and philanthropic?

Mr. Semper explained: My answer would be different maybe a few months ago. Right now, the philanthropy has been private, actually, we have gotten in place for this work, including some preliminary funding that we got to do a lot of the planning and development, and some recent funding that we have that we can use to get this thing launched and started.

Like many nonprofits, including universities and everyone else, we are looking for alternative fundings. We are also hopeful, by the way, that funding is not completely out of the picture, that Congress is responding a little bit differently to some of the science funding around some of the agencies that we have gotten support from the past. So, we are hopeful in the future we will be able to tap into that. But a lot of this is private philanthropy that we are looking towards right now.

Commissioner Randolph noted: That's good, thanks, because there were at least two items on that screen that would automatically disqualify any federal grant. You know what I am talking about. Thank you.

Commissioner Gonzalez was recognized: Two quick questions. The first one for the Exploratorium. I am curious about the duration. What is the level of commitment in terms of time? This will be an exhibit for activity for 5 years, 20 years, perpetuity.

Mr. Semper replied: As a general question, we build exhibits, many of the exhibits that are in our support-term now actually came from days and years and months ago and years ago. There are some exhibits we have from the opening of the building and that was 50 some years ago from the Exploratorium starting. We moved into this place more recently, obviously, 12 years ago.

We have an event horizon of 5-10 years. One of the reasons we have that is looking at the Embarcadero replacement work, which has also a date that might be moving. But we are conscious of the fact that the entire Embarcadero is up for change. So, in a sense, what we are putting is an exhibition out on the Embarcadero area that has probably a 5-10 year event horizon. It is something I think we have to work through with discussion, what the parts are, pieces are. But we are worried about planning beyond that because we just do not know what the condition is going to be like out there.

Mr. Buehmann stated: May I add to that? I am Erik Buehmann, Long Range Planning Manager. I do not think I introduced myself before.

One of the things after this, if the Commission decides to approve this Bay Plan Amendment, we will go through an amendment process with the Exploratorium's permit. And that will involve putting in some of the kind of nuts and bolts of the program and monitoring

and when do we reevaluate it and things like that.

We also know, and Ben mentioned in his presentation, that at some point soon in the next probably less than five years we are going to need to look at the Special Area Plan again comprehensively and so we want to think about the next phase. What are we going to do with these public benefits? How are public benefits going to change when we do a lot of the resilience planning that we are doing?

Commissioner Gonzalez acknowledged and continued: Understood and thank you for that additional piece. Without going too far into commentary it is just this concept of when we are being asked to trade off, right, what is that trade off? It is a 5-year commitment, 10-year commitment, that is the trade off.

With respect to the second question, my last question, and I think this is for Ben. On slide, I think it was 10 of your presentation, you mentioned public benefits are not mitigation for project impacts. You repeated that expression probably three if not four times, which means that it is significant. To the uneducated, un-inculcated person like myself, why is it so significant to you when you make that statement?

Mr. Dorfman answered: Yes, thanks for bringing that up again, it is an important part of this project. Honestly, at the staff level it took us a while to figure out the differences between the two as well, so we really want to emphasize that.

There is more flexibility with public benefits versus the mitigation. Mitigation is usually included in specific permits for specific impacts that projects have on the Bay, on the environment. If you are covering up sea grass beds with a new pier you have to mitigate that by planting new sea grass beds elsewhere, that is a type of environmental mitigation. So, we just want to emphasize this is not that. This Bay fill is not mitigation for environmental impacts.

Mr. Buehmann commented: Just to add to that a little bit. When you look at the existing policy that was created in 2009 it has ratios and things like that; it can be very technical and confusing. And possibly maybe it was confusing to the people who drafted this distinction that we are making and so that is why, to be honest.

Commissioner Gonzalez acknowledged: Well, it is good to clarify, I appreciate that. That is it, Chair.

Chair Wasserman continued: Let's go to public comments.

Mary Ellen Hannibal commented: Hi, thank you. I am Mary Ellen Hannibal. I am an environmental journalist and writer and teacher. First of all, thank you to the Commissioners for all that you do for the public good.

I have worked with the Exploratorium before on a map project in fact. A map of nature in the City, which is a fantastic, beautiful map that you can buy, or sometimes we give it out free. So, working at the Exploratorium over a period of three years intermittently I really saw up close and personal the sheer professionalism and efficacy of the people who work there to do what they are intending to do.

And then this fantastic Bay Observatory that the Exploratorium has, which I have never seen anything else like it where you are invited, as the public, to view and observe and understand what is going on right outside the windows.

So, in terms of the public good I think nothing could be more important than educating the public about sea level rise. It is a big doorway into climate change.

I know from teaching at the California College of the Arts and at USF, both environmental sciences and humanities, that broadly people of all ages, because I teach older people and

younger people, do not understand a lot at all about what is happening.

So, really there's two responses people have, fear and kind of aggression, which is usually to put up a boundary to it. This is something that is just not going to work with sea level rise.

I will wrap up by giving you a book recommendation called *California Against the Sea*. I wish I wrote it, but I didn't. It is by Rosanna Xia. She is a *Los Angeles Times* reporter. She went up and down the coast of California reporting on communities' responses to very proximal sea level rise, threats to their communities. Very different threats, very different communities.

What it really shows is that it is going to be a piecemeal thing and yet also a comprehensive thing how we adapt. And the first step for adapting is to understand what the components of what we are adapting to are. And I know the Exploratorium can do a beautiful job of really opening up an engagement in a safe space, in a trusted space, where we are all together and yet honored individually. Thank you.

Greg Castro spoke: *Horše Túuxi*, greetings. I am Culture Director of the Association of Ramaytush Ohlone, the indigenous people of California that were put here in the San Francisco Peninsula to be the caretakers at the beginning of time. That is our belief, and we still act on that belief. We believe that we were given the original instructions to take care of the land and everybody on it. And certainly in this time of climate crisis, that is more critical than ever.

One of our earliest partners years ago was the Exploratorium. Starting with the land acknowledgement, acknowledging our ancestors who had been here for more than 10,000 years, and our experiences here that are still beneath us as we sit here in this place. The Exploratorium works with us to talk about that experience and what that means in the modern world and certainly in this case with climate change it is a critical element.

And I certainly agree with the previous speaker. These kinds of issues are not something you can just pick up on the internet or read in a book. You have to experience them and that is what the Exploratorium specializes in. Bringing those experiences to the world and to people and having it put in their hand. That is the only way you are going to understand it, especially in this critical issue of climate change where people seem overwhelmed. They have to be able to grasp it and to have the belief that they have a chance to do something about it. And I think that is where Exploratorium is exemplary. Our partnership over the many years including our Native Homeland Festival and the Waterfront Trail exemplify that expertise that the Exploratorium brings. So, hopefully you will fully support their program. Thank you.

Alice Rogers commented: Good afternoon, Commissioners. I am Alice Rogers, a 50-year resident of the Bay. As chair of the Land Use Subcommittee I am here to help support, cheerlead and advocate for the Special Area Plan amendments the Port has put forward.

During our more than three years of public meetings on the Plan update it was resoundingly clear that the general public is wanting to engage actively with the Waterfront, not just passively view it. People of all ages and all flavors are interested in our maritime industries, our Bayside ecology, and being able to enjoy a range of activities beside and in the water.

Diversity emerged as one of the overarching goals of the plan, diversity in uses and diversity in population.

Though currently stalled by the local economic conditions, the RFPs that have been generated since that Plan have brought really exciting public realm, public benefit responses for the Northern Waterfront, including public swimming pools, children's sailing programs, subsidized night market. All of these backed up by the financial drivers that recede into the

background.

By replacing the 50% Rule we expect to see similarly exciting, alluring proposals come up for the Fisherman's Wharf area that would be site-specific and authentic to that area. Already, we have the public clamoring to buy fish directly from the boats.

Similarly, the Exploratorium's proposal to take a sea level rise program out to the public has already been test driven. I have attended several of their King Tide Walks and I can say that they have attracted hugely broad and diverse audiences. And all of them appreciated the immediacy of the issue, even after they got their feet wet.

So please help support the Port. Make one of our Waterfronts one of the most dynamic in the world. Thank you.

Brad Benson addressed the Commission: Good afternoon, Chair Wasserman, Commissioners. Brad Benson, I am the Port's Waterfront Resilience Program Director.

You have heard a lot about this proposal today. I just want to emphasize, given the resilience work that we are doing, we are looking at changes to public shorelines over decades. Costs that are going to be incurred by multiple generations. It is very complicated pre-disaster planning that people do not intuitively understand.

And so, it is just super important to reach out to the next generation, right? And we as public agency employees often do not have the skill to do that kind of outreach. We are used to reaching out to an adult population. And through experience with the Exploratorium, I can tell you, you cannot have a better partner in terms of dealing with this youth population. They just make it fun. They make it intelligent and challenging.

The San Francisco Shoreline Leadership Academy they participated in as well. It was just so great to go to that graduation at the Exploratorium - so, could not have a better partner there.

And then mindful of time I just want to shift topics for a moment and say we are seeing at the federal level that sometimes public employees are not appreciated for what they do, and I think it is worth taking the time to offer that appreciation.

And so, I just wanted to speak about Diane Oshima, who has been our lead planner at the Port for a long time. She led seven years of planning on the Waterfront Land Use Plan. She worked with your staff on the original Special Area Plan for three years coming out of the pandemic. She has worked for multiple years with staff on this proposal into her retirement. And it is just so amazing to have a colleague like this so thank you very much.

Commissioner Gunther stated: I just wanted to point out with all of the statements about the importance of educating the public. This will also serve an important purpose because we have people, and particularly at the moment the President of the United States, who are actively trying to disinform the public about this important topic. The President makes up numbers about sea level rise about once a year and just spouts these out and it is absolutely detrimental to our efforts to both deal with the crisis and build resilience. So, I just wanted to point out that this makes this kind of public education effort all that more important. Thank you.

Sina von Reitzenstein was recognized: Good afternoon, Commissioners. I am Sina von Reitzenstein, VP of Leasing at Pier 39 and Executive Board Member of the Fisherman's Wharf Community Benefit District.

I am voicing strong support for amending the San Francisco Special Area Plan by removing the 50% Rule and replacing it with the Public Trust Use Policy.

Ongoing revitalization and investment along the Northern Waterfront is essential, not only for the health of the neighborhood but for the broader success of San Francisco. We all

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thrive when the Wharf thrives.

The current 50% Rule policy makes it nearly impossible for waterfront businesses to make meaningful and essential repairs and upgrades, threatening both public access and the economic viability of their businesses. Replacing the 50% Rule with the Public Trust Use Policy is a smart and necessary shift that would encourage investment, seismic resilience, and a richer variety of public-oriented uses on the Waterfront, allowing for new initiatives such as the visionary Fisherman's Wharf Forward Plan to be implemented.

The Amendment would align perfectly not only with policies that have already proven successful along the Northeastern Waterfront but also with the Port's 2023 Waterfront Plan.

Fisherman's Wharf is ready to receive the same opportunity for revitalization and future forward development opportunities as other areas of the Waterfront. Thank you for considering approval to replace the 50% Rule with the Public Trust Use Policy. It is an important step towards a stronger, healthier, and more resilient Fisherman's Wharf and the Northern Waterfront.

Finally, I would also like to thank the Exploratorium for being an amazing neighbor and for furthering the independent education for tomorrow's thinkers and leaders. It is so important, especially now. Thank you all.

Darlene Plumtree commented: Good afternoon, Commissioners. My name is Darlene Plumtree. I am the Chief Executive Officer at the San Francisco Maritime National Park Association. I am also co-chair of the Fisherman's Wharf Advisory Committee, and I am on the Advisory Committee of the Fisherman's Wharf Community Benefit District.

I am here today to endorse both parts of Item 8 as we own and operate the submarine USS Pampanito at Pier 45. That area of Fisherman's Wharf has been seriously neglected and abandoned since COVID, and it is a dark and dangerous area at night. We have had to stop our education programs in the evenings because of that. I am really looking forward to the Fisherman's Wharf Forward Project moving forward, hoping that that will bring some light and energy and activity to that part of the Waterfront.

I also endorse the Exploratorium. We also have science education programs, and I know how important that is to youth education today. Thank you.

Alexander Zwissler was recognized: Good afternoon. Chair Wasserman and Commissioners, I am Alex Zwissler. I think about 10 of you may remember me. I served on the Commission from 2013 to 2019. I think I just have to come forward and say I have a little something to do with this.

This whole idea sprung from a fortuitous and serendipitous lunchtime conversation with Rob Semper in late 2018 at a conference for our science museums. And we got talking about their obligation and we got talking about, gee, wouldn't there be a better way to do this rather than spend millions of dollars on what may or may not be the unnecessary removal of Bay fill at that time. So, that got the staff engaged, the Port and many others.

I just really want to express my thanks to everyone, to the Commission, to the staff, to the Port and to the creative geniuses at the Exploratorium for coming up with this plan.

I have been participating a little bit behind the scenes. I participated on the March Working Group and have been providing some input, sort of with my former science center director hat on and also having developed climate change initiatives. So, unconditional support for this project. So happy to see it has come full circle and to fruition. Thank you all and what a great bunch of folks. Take care.

Sarah Atkinson spoke: Good afternoon, Commissioners. My name is Sarah Atkinson. I work on hazard mitigation and climate adaptation at SPUR. I also grew up in Alameda and have

always had an important connection to the Bay.

I am speaking in support of the Sea Level Rise Public Education Initiative. I urge the Commission to support this initiative. Education is one of the cornerstones of SPUR's work because we know that profound system change requires addressing beliefs and knowledge of both the challenges and the solutions to climate change. SPUR hosts many public panels and workshops around local policy issues including on sea level rise.

In the summer of 2021, I interned for the Oakland Shoreline Leadership Academy developing educational materials for that program. And despite COVID challenges that year, many amazing projects came out of the Academy, creating concentric circles of impact far beyond those who participated. I believe it also helped to inspire the SF Shoreline Leadership Academy.

SPUR sees public education not as a secondary need, but a fundamental pathway to achieving long-term resilience and effective regional action and we think the Exploratorium is uniquely positioned to deliver this benefit.

SPUR has also long been a supporter of BCDC and a supporter of regulating fill to protect the Bay. And although fill removal may technically satisfy a long-term public benefit requirement, it will not serve the public in a lasting or meaningful way.

This initiative, in contrast, would tap into the Exploratorium's expertise and mission communicating science in a way that inspires curiosity and empowers informed action. I am excited to see this program move forward and SPUR would also be excited to support this effort. Thanks for your time.

Taryn Hoppe commented: Hi, this is Taryn Hoppe. I am a fifth generation San Franciscan, multi-business owner on Fisherman's Wharf, Board Chair of the Fisherman's Wharf Community Benefit District and on the FWAC, Fisherman's Wharf Advisory Committee.

I am just calling in to voice my enthusiastic support of removing the 50% Rule. What a wonderful advancement this is going to be. It is logical, it is crucial, it is fair, it is, ironically, going to improve public access. So couldn't be happier this is happening. I just want everyone to know the community is, in general, really in support of this so thank you so much.

Ms. Peterson noted: That concludes public speakers, Chair Wasserman.

Chair Wasserman acknowledged and continued: Thank you very much. Commissioners, comments, questions?

Commissioner Dorsey was recognized: Thank you, Chair Wasserman, and thank you to the BCDC, Port of San Francisco and Exploratorium presenters and staff for all their work on these exciting updates. I am very happy to support these changes, and I hope that there will be broad support for them when the amendments are heard again at next month's meeting.

The changes proposed are just outside of the district I represent on San Francisco's Board of Supervisors, but I am confident that I speak for all City leaders when I say we have a strongly shared citywide interest, both to revitalize Fisherman's Wharf and to expand opportunities for sea level rise education.

I really appreciate the practicality and creativity on the proposed updates to the Piers 15/17 public benefits swap. The Exploratorium is a beloved and well trusted institution in our City, as I am sure everyone agrees, and its location on the Waterfront makes it uniquely situated to offer real-world, in context, and high value public education.

If this amendment is passed I look forward to seeing schools and community groups in my district take advantage of its exhibits and its programming. I am especially excited about the public benefits that include informing and educating unsuspecting passersby. People who may be walking to a Giants game or a Warriors game or a Valkyries game, or people like me who



occasionally get out for a sunrise run on the Embarcadero, or anyone else who just takes time to enjoy our amazing Waterfront.

So, I want to express my concurrence with the staff's finding that this initiative is an appropriate and worthwhile substitute for the fill removal requirement.

I similarly agree with the staff findings related to the removal of the 50% Rule for Fisherman's Wharf. This is an area that is facing significant challenges, particularly as tourism has declined in recent years.

There is increasing consensus among us San Francisco policy makers that we need to think creatively about reducing constraints wherever possible on a multitude of fronts, whether it is to revitalize our downtown or reinvigorate any of the destinations that benefit our regional economy. This proposal brings Fisherman's Wharf into the same planning framework as more thriving parts of the Waterfront, including many I represent. But I believe it is a reasonable step to make this change and that still allows for significant public access.

Finally, I want to say how impressed I am with the thorough community engagement that has gone into all of this, as evidenced by the public comment and the support including my constituent, Alice Rogers, whose advocacy and guidance I always greatly appreciate. I once again want to thank staff across all agencies and all the stakeholders that helped shape this proposal. Thanks so much.

Vice Chair Eisen had questions: I appreciate all that I have heard. I have some questions about the Education Plan itself. A little more detail on that. I am trying to understand. I know this is going to be a public benefit. But as it exists currently the Exploratorium would charge me, I think as a senior, \$30 to come in and see your current exhibits.

Is the idea that these exhibits and the curriculum will take place outside of the Exploratorium building itself, outside of the portion of your exhibits that there is a payment to be made by depending on your age and whatnot?

And are you relying on exhibits that currently exist or are you envisioning developing essentially an entirely new curriculum focused on sea level rise?

And the third, I think it is the third question, is, in terms of the costs, I understand Ben's comment that there does not need to be direct parity between the benefits that we are swapping. But is it your intent to specifically fundraise for this Sea Level Rise Education Plan, or are you just planning on using monies that you are raising by fundraising to develop this Education Plan, sort of alongside or as part and parcel of the other exhibits that you develop at the Exploratorium?

Mr. Semper responded: I can respond to those three questions. There is going to be probably some more talk when the permitting activity moves forward.

The activities that we have talked about are all sort of outside the paywall. In other words, they are free for anyone to participate with. That is why we are designing this space outside in front on our plaza. And not only are they free therefore to people coming to the Exploratorium, they are free to people walking by between Fisherman's Wharf and the Ferry Building, which is a very large group of tourists and regulars now.

The field trips that come to the Exploratorium get off their busses right in front of where these exhibits are. The field trips, many of them will be going inside, but there will also be special attention paid and special guidance for field trips that are happening outside in and around those exhibits. So, this is all intended to be basically a public benefit, as we understand

public benefits, as the Bay history walk or anything else is publicly reachable.

Let's see. The second question was existing. So, this is meant to be developing new activities, new exhibits. We prototype exhibits and we have been now. We had some preliminary seed funding to do some development over the last year or so to begin to prototype exhibits on this topic. But we will be developing new exhibits. We are constantly developing new exhibits in the place. So, this is all effectively new work and that ties into the fundraising.

The fundraising has been keyed very specifically to this kind of work. We had originally a grant to actually do the development of the thinking of this work and the beginning prototypes, and it was based on the changing coastline activity. This new fundraising will be related to that as well. It becomes part of a generalized fundraising effort on the part of the Exploratorium, where we are raising funds for many of our activities from private sources, from public agencies and from foundations. So, this becomes part of it but it comes specifically identified to do this particular kind of work.

Hope that answers your questions. If you had others about that I am happy to answer more about that.

Vice Chair Eisen acknowledged: Thank you. I look forward to hearing more detail.

Commissioner Moulton-Peters was recognized: I want to thank our BCDC staff, the Port and the Exploratorium for really excellent presentations and your thoughtful analysis of the changes that are being proposed. I appreciate the flexibility afforded in this recommendation that acknowledges the importance of public education as a public benefit, I agree with this.

And the staff presentation did a good job of showing the evolution of BCDC's San Francisco Waterfront Special Plan and our own policies that have had to evolve and change over time in the face of the 50% Rule that really did not work economically. And so, we needed to pivot to something that works better and I think the results that we saw in the slides today of the public benefits that accrued have really proved that point, that the Public Trust Use Policy does work better and gives more public benefit.

And it is the role of BCDC to balance conservation and development with public access and benefits being part of it, and economic thriving being another part.

From my point of view, the Exploratorium, there is no better place to go for science explanation and applied science. My family and I have gone there for years to go experience learning experientially.

And I cannot underscore the importance of raising awareness and education on sea level rise. I chair Marin County Board of Supervisors sea level rise planning effort. We have done local education and awareness and we have found that it is truly the way to engage the public, to gather support and gather momentum that we are going to need over the years.

I also just want to comment that this is an example of how BCDC does need to change and evolve our policies in light of sea level rise. I expect to see more of this change in our policies. And so, I am very happy to support the change from the 50% Rule to the Public Trust Use Policy today.

Commissioner Nelson spoke: I would like to thank the Port and the Exploratorium and staff as well for a really thorough presentation. I will admit that I started before the presentation pretty skeptical about the idea of trading away our Bay fill removal requirements because we have such a history on Bay fill removal and that has been such a priority. But there are a number of things in the presentation that have made me really sympathetic to this change.

The first is the fact that there has been enormous amount of Bay fill removal on the San Francisco Waterfront. I think that is a real testament to the Commission's requirement and the

Port's hard work over a very long time.

The Port's presentation included a statement that there is not much fill left to be removed. This is a public hearing, so either now or before our next meeting when this might come back for a vote I would love to hear if there is a way to quantify that more. Is there an inventory of the amount of fill that needs to be removed? Is the fill that needs to be removed already kind of spoken for related to other projects? I think that information would help us understand what kind of a tradeoff we are really making here.

And then finally I just want to reiterate what Commissioner Gunther said and Chair Wasserman said at the start of our meeting. I think the argument for this tradeoff is particularly strong right now because the federal government has become actively hostile to what we would have all considered a couple of years ago as a sort of a mom and apple pie discussion of climate change. Important, but not particularly controversial. I think both the controversy and the importance has really been highlighted dramatically in the last six months or so. Thanks.

Chair Wasserman continued: I do not see any other Commissioner hands.

My concluding remarks should not surprise any of you. One, thank you all for the hard work on the presentation indeed.

Two, I recognize this is a Bay Plan amendment. And that is serious and it has a number of steps, and those steps take too bloody long. So, everything we can do to speed up every other piece of this we need to do, because it has been a long time coming.

Thank you all for the presentation. I look forward to the vote at our meeting in August.

**9. Follow-Up Briefing on the Resilient SR 37 Near-Term Sears Point to Mare Island Improvement Projects, by the California Department of Transportation, Metropolitan Transportation Commission, Solano Transportation Authority, Napa Valley Transportation Authority, and Sonoma County Transportation Authority, located in Solano, Napa, and Sonoma Counties).** Chair Wasserman announced: That brings us to item 9, which is a follow up briefing on the Resilient SR 37 Near-Term Sears Point to Mare Island Improvement Project, which had been requested.

The Commissioners and the public have received a memo from the State Route 37 Project Team with detailed answers to questions posed by the Commission at the May meeting and MTC's presentation will summarize those. BCDC Bay Resources Manager Julie Garren will introduce the item.

Bay Resources Program Manager Garren addressed attendees: Thank you, Chair Wasserman and good afternoon, Commissioners. Are you ready for your second briefing on the State Route 37 Sears Point to Mare Island Project? Okay. I am Julie Garren, the Bay Resources Program Manager at BCDC. We have been coordinating, as you know, with MTC and Caltrans on the Resilient State Route 37 Near-Term Sears Point to Mare Island Project that is currently in preapplication.

The State Route 37 Project Team is back for their second briefing on this project. Hopefully you read the memo that they sent to you. It is very thorough and educational. The Near-Term Project will be considered in two phases. Phase 1 will consider the replacement of the Tolay Creek Bridge and Phase 2 will consider widening State Route 37, the installation of toll gantries and the enhancement of Strip Marsh East.

While the Applicant and staff proposed bringing the project to the Commission in two phases, it is worth noting that Caltrans as the CEQA lead agency for the project certified an EIR

that fully evaluates the environmental impacts of both phases of the project.

It is important to note that while bridges that are in Phase 1 are considered a water-oriented use under the McAteer-Petris Act and relatively straightforward to evaluate the consistency with our laws and policies, Bay fill for roads in Phase 2 is not a water-oriented use under the Bay Plan and can therefore only be authorized if the Commission finds that the project is necessary for the health, safety and welfare of the public and the entire Bay Area. Please keep this in mind as you listen to their presentation and ask questions that help you evaluate if the widening of the State Route 37 Sears Point to Mare Island Improvement Project is necessary for the health, safety and welfare of the public and the entire Bay Area, and consider what additional information may be needed for you to make that decision.

And now Jeanette and her team will give a presentation.

Ms. Weisman presented the following: Good afternoon, Commissioners. We are going to make this short and interesting. Thanks for having us back. In May you asked us to come back so we could speak to the long-term sea level rise adaptation and really explain to you the connection between the Near-Term Sears Point to Mare Island Improvement Project and what we are doing as part of that long-term program.

I am Jeanette Wiseman with MTC, and I am going to introduce the team of presenters that I have today here with me.

Javier Mendivil with Caltrans. He is the State Route 37 Program Manager with Caltrans.

Also presenting I have Jeremy Lowe at the end with SFEI and a Senior Environmental Scientist. And really, many of you already know this, instrumental in planning out and delivering sea level rise adaptation around the Bay.

We also have Stuart Siegel, who is joining us remotely. Stuart is part of our team leading up the marsh restoration with Strip Marsh East part of our Audubon Team. He wears many hats, so he says. He is an adjunct professor at SF State and also a Coastal Resilience Specialist at SF NERR, the National Estuarine Research Reserve. He also has his own consulting firm. We are really happy to have him and this whole team working together.

We are going to bring together the multifaceted approach of the program.

While the slides are being pulled up it gives an opportunity for me to share with you guys and remind you this is a, I say small, but it is really a big and mighty team. It is really formed at the core around the four North Bay transportation authorities, integral at addressing the core issues facing State Route 37. But there's many other partners who have come to join the program, recognizing the importance to both the corridor, the road, but also to the ecosystem that surrounds it.

This first slide shows you that State Route 37 runs along the edge, the northern edge of the San Francisco Bay. It is a 21-mile corridor, and there is really no reasonable alternative. The alternative to the north, which utilizes Highway 12 and Highway 116, doubles the distance and is made up of primarily one lane roads which do not have the capacity to take on that additional traffic.

To the south we have the Richmond-San Rafael Bridge, which more than doubles the distance and is already itself impacted by congestion and cycling traffic.

The picture that you see right here is State Route 37 in Marin County and it is from 2017 during the floods that closed down the Highway. So, you have got plenty that we are dealing with.

Today we are going to talk about the strategy that you asked us to come here and address for the Resilient 37 Program as a whole. We are going to speak to the projects, how we are delivering them to the degree that we can see right now and where we are looking out to in

the future with project delivery.

Then we are going to get to how restoration is related as part of the program and how what we are doing directly as part of the Resilient 37 Program also facilitates a larger, broader North Bay restoration effort.

And then we want to make sure we have time to answer other questions that you have around the program today.

To get to the strategy and the vision of the Resilient 37 Program we need to revisit what is happening along State Route 37 and what is happening in the region. So, we have for quite a while and currently really stifling commute traffic, particularly for those people who are commuting over from relatively affordable housing in the eastern portion of the corridor in Solano County to job centers to the west. That is affecting both individuals as well as commerce. You can see there's lots of trucks just sitting there idling in traffic.

And then based on the orientation of State Route 37 I just want to point out the public access is a really important component of our corridor. It co-aligns with the Bay Trail, and we have substantial gaps along this section of the corridor and of this section of the Trail because of the really limited and constrained environment right along the Baylands. But with the challenge comes lots of opportunity.

We also have existing periodic flooding, particularly during winter storm events and then we all see that sea level rise is coming for us. This picture is envisioning what that might ultimately look like, the re-establishing of the Baylands with or without us participating.

And to that point, why do we want to participate? Why do we want to be proactive? Because we have the opportunity to re-establish and enhance/restore the historic San Pablo Baylands.

And we look at all of that as being under the guise or umbrella of equity as it relates to the communities of the North Bay and how it will affect the broader San Francisco Bay Region. We can look at the flooding picture up there and we can look at the opportunity to restore marsh habitats, which will, together with this program, help buffer both the local communities that surround the corridor, but then also relieve pressure that is mounting from sea level rise on the Bay as a whole.

So, how are we going to do this? Well, to speak to first the partnership. I started off talking about the transportation partners, the North Bay Transportation Authorities, MTC, Caltrans. We also have SMART now that is on board because SMART needs to be elevated as well as State Route 37.

But we also have a broader partnership now with CalSTA, the California State Transportation Agency, as well as the California Natural Resource Agency, recognizing what we need to do here is to deliver multi-benefit projects, projects that address equity, welfare, the wellbeing of the communities at the same time that can do so while really bringing substantial benefits to the ecology, to the natural resources.

And that includes CDFW, the implementation agencies under CNRA, CDFW, BCDC, and we also have the San Francisco Water Quality Regional Water Quality Control Board that is a very important partner, as well as tribes that we are working with and bringing into our planning, design, and delivery process.

So, how are we doing this? We are working on a do it all, deliver early benefits, while we are planning and delivering the long-term. So, the Near-Term Sears Point to Mare Island Improvement Project is really critical for us both in addressing the pressing quality of life needs

affecting the North Bay and any and all of us that have to get to the North Bay or through it.

We also have in addition to improving the travel time issues and reliability that this project is going to be addressing by removing the bottlenecks that currently exist. We are going to be introducing transit. Transit that does not currently exist because there is not the capacity and the ability to move it through the corridor.

And then public access. Right now, we have a constrained footprint, but we have the opportunity and the plan to improve, the best that we can, on State Route 37 at the existing ground by enhancing the shoulder. Going to be putting in 8-foot shoulders, and that will both improve bike and pedestrian access, but it will also allow important emergency vehicle access that is currently constrained along State Route 37.

We are going to be delivering two Baylands restoration enhancements that Stuart and Jeremy are going to go into in greater detail.

And then really importantly, resilience. Resilience for this section of State Route 37 that we cannot wait another decade or two in order to deliver. And I will get into that a little bit further.

In the meantime, I am going to call Javier up.

Mr. Mendivil spoke: Good afternoon, Commissioners, Chair. I am Javier Mendivil with Caltrans Project Management Bay Area.

So, just to expand a little bit, the idea behind the phased implementation here that we are looking at is that the Near-Term projects, quote/unquote, like Sears Point to Mare Island Improvement Project, will improve the corridor, and provide benefits all the way up to through 2050.

We are concurrently working on the long-term program, so through projects like the Flood Reduction Project, Novator Creek Bridge replacement, which are active right now. So, it is not like we are working on one or the other, we are working on both, and it is still important to improve the corridor and maintain it through near-term projects as well.

And then the program's goal is to deliver the long-term projects by 2050. So, the near-term projects will provide improvements until then.

For a collaboration with local agencies and other organizations to develop the study and to really come up with a shared long-term vision of the corridor. So, the study ended up selecting the existing alignment, as shown on the map there, and elevated causeway for most of the corridor as the solution. And really the reason the study is so important is because it has really given us confidence to develop projects through the shared vision that everyone has bought off on, or most of the partners have bought off on.

So, as part of the PEL Study, it provided an Implementation Plan that divided the corridor in eight segments as you can see on the map there. Each of these segments could be its own project with independent utility and logical termini. But what it did not provide was an order in which to develop those projects.

So, to do that we started a prioritization effort with some of the same stakeholders that were involved in the PEL Study to establish a prioritization criteria and apply it to the eight segments. Some of the criteria included flood vulnerability, environmental benefit opportunities, efficiency and safety.

So, once we apply the criteria the order is listed on the screen there. The top segment ended up being Section Number 2, which we have cleared environmentally and we are currently working on the first construction package of the Novato Creek Bridge replacement on right now, it is in design right now, scheduled to complete design next year.

Segment 6 and 7 tied for second place. So, that is Sears Point to Mare Island, essentially.



And then Segment 4 and 1, 8, 3, 5, respectively.

So, I would also like to take a moment to talk about fill removal, since that has come up in previous meetings. I had my team come up with some quick volumes using the modeling that we are using on the Sears Point to Mare Island Improvement Project. We have estimated that the added fill that we are adding for the widening on Sears Point to Mare Island will make up for about 15% of the total. So, if you combine what is already there plus what we are going to widen it is 15% additional fill.

The added room would help with constructability. I do want to mention when we have to construct these long-term projects we do have to maintain access along the corridor during construction. That would be really challenging with only two lanes, or one lane in each direction. It is one of the benefits that would be provided during construction, as well as the benefits realized through the congestion relief as well.

And I will pass it back on to Jeanette.

Ms. Weisman continued: So, part and parcel of that and then adding some plus. So, how are we going to be delivering those projects? Those are a lot of long-term projects and there are some big dollars associated with that. Well, we are working on that. We made some commitments and put our heads down and really figured out how to start advancing this.

A commitment was made this past winter in coordination with CDFW and with Caltrans, MTC, and our broader partners to say that we will allocate, or we have identified \$10 million of our regional Measure 3 funds to put towards that Section 6, that next priority of the long-term project, which is the State Route 121/37 interchange. So, that money is going to advance from the PEL Study to the environmental analysis and preliminary engineering.

So, Sonoma County Transportation and Climate Authority is going to be leading that effort and is looking to begin that work in 2026 so just next year.

We also identified the need and made a commitment to go beyond in the Near-Term Project just the excavation that was needed to support the Tolay Creek Bridge replacement. Why does that matter? Because we heard from the restoration groups that it was really important to remove the compacted fill associated with the roadway in order to support that broader hydro-hydraulic volume that was needed once the restoration gets connected to the north as part of the Tolay Creek Baylands restoration.

So, what we have done so far to meet that commitment, Caltrans has completed geotechnical borings to help us understand the depth of that fill that will need to be removed. And now our team is coordinating looking at, how do we go about removing that excavation, what will that cost, and how does that fit in with the Tolay Creek Baylands restoration that it will be tied to?

We also committed to pursuing advanced mitigation. Advanced mitigation which will support more efficient and timely delivery of the long-term projects, and then it also supports delivery of the Baylands restoration.

In addition, our team has been working, MTC and SFEI and the San Francisco Estuary Partnership, on the Green Stormwater Infrastructure. Looking at what are the stormwater runoff issues related to State Route 37. How can we better address that as part of our long-term projects. Can we find opportunities, pilot projects, other innovative ways of thinking and addressing stormwater treatment along Highway 37.

And then lastly but really super critical to this, is we are conducting a finance and project delivery right now with our Ernst & Young Team looking at how to fund and finance that big suite of projects. Looking at what is the tolling contribution, what is the opportunity through other discretionary or funding streams at the state, local and federal level. Looking at ways that

we might consider private/public partnerships or other innovative project delivery to get the job done and to do it ahead of sea level rise.

So, to dig a little bit deeper back into the Near-Term Project and what is that connection then, between the Near-Term Project and the resilience that we have been talking to you? Well, I want to point out that this is going to be delivered as part of three discrete construction projects. The first is the Tolay Creek Bridge replacement and 121 Intersection improvement. That is the area showcased with the red label to the left of our project area. And it is going to really be delivering both facilitation of the Tolay Creek Baylands restoration, widening the channel, bringing up low-lying portions of State Route 37 that fall within or are more vulnerable to flooding. That is going to go into construction next year. That is fully funded, and we are working on the permitting for that.

Next up is the eastbound Improvements and Strip Marsh East Ecological Enhancements. We recently were awarded \$73 million which we are very excited about and looking to go into construction at the end of next year. Also have permits ahead of that milestone.

Some important resilience benefits that are going to come as part of that construction. We are going to raise some particularly vulnerable sections of State Route 37 in this area that are rapidly subsiding. We are going to bring that back up approximately eight inches or so, so we get up that profile to the grade that corresponds elsewhere along the corridor in this area. And then we are going to stabilize it with sheet pile walls. This is really important to slow down the sinking in order to keep us in good stead with flooding, with near-term sea level rise in mind.

We also have Strip Marsh East, which is shown in the hatched area towards the eastern portion of this project. And Stuart is going to tell you more about it, but that is our nature-based solution that is going to buffer storm surge and near-term sea level rise.

And then the last improvement and separate construction project is the Westbound Improvements. We are targeting the end of 2027 for that. That is pending some additional funding that we are still pursuing and need to complete that work, or to conduct that work. That is essentially going to be the westbound roadway improvements with similar profile improvements and resilience benefits as the eastbound.

I want to point out State Route 37 in relation to the equity priority communities, or disadvantaged communities around the Bay. We have a significant number of census tracts, that's our equity priority communities, that are low-income or are traditionally considered disadvantaged. These are communities that have not been invested adequately, that have been more vulnerable economically/financially. And MTC through the Plan Bay Area looks at these EPCs as an opportunity to plan and focus our efforts in order to shift the tides and to reinvest in these areas.

And so that is really important as we focus in on the program efforts and it is a big part of this program strategy and vision that says these communities need to have their pressing concerns addressed and we are going to invest in those areas and in their needs.

To capture into some important buckets what the Near-Term Project will be accomplishing and the importance to move forward, to not wait until we have ten to twenty billion dollars. I want to point out that there are the local imperatives addressing the local communities, the health, safety and welfare of the North Bay and the broader region.

How is this project addressing that? It is addressing a longstanding transportation inequity. What you can see in this graphic is what currently occurs, particularly during the peak commute. You can see in red the long bottleneck leading into where State Route 37 goes from two lanes down to one; and the yellow coloring is the congestion that slowly dissipates from there. What that means for people who depend on the corridor to get to jobs, to get to services, to get back to their families every day is that in the morning it doubles their commute. It adds at least a half-hour to their commute to work. In the afternoon that can add almost an hour and a half to their commute.

We recently went to the STA, Solano Transportation Authority, and spoke with the Equity Working Group and we heard firsthand accounts from their board members and from them speaking to what they see on social media and from their own family about how this affects them. How this impacts their daily lives and how important that is to them to address.

So, in addition to just that transportation and equity alone we are dealing with a corridor which is an evacuation route. So, when we think about flooding that just recently happened in Texas you have to recognize that we have wildfires in this region. And so, when we have wildfire evacuations we need roads like State Route 37, a designated evacuation corridor, to work. To move people through the corridor.

We also recognize the imperative of addressing the resilience that cannot wait because we have flooding knocking on our door every year. We have sea level rise that is already coming, and this project can be delivered in five years or less. We need to make these changes to make the corridor in this section more resilient.

And we need to support our economy. We need to support our communities and the region at large by supporting the movement to jobs, supporting goods going across the North Bay.

And with that I want to turn it over to Jeremy who is going to go into how restoration fits into this.

Mr. Lowe presented the following: Thank you, Jeanette. Chair Wasserman, Commissioners, I am Jeremy Lowe with the San Francisco Estuary Institute, SFEI.

In parallel with the discussion about the road and the imperative for resilience that we need to get things moving, it is the same with the landscape. We have worked very hard to plan out the restoration of the whole of the North Bay, in the Bayland habitat goals and in subsequent strategies and in the North Bay, North Bay Baylands Regional Conservation investment strategy. It all indicates large-scale restoration needs to be done to ensure that we have these ecological resources available to us as sea level rises. It takes a long time for these marshes to accrete and to maintain their elevations, and so the sooner the better.

This diagram shows a lot of arrows. These are connections of water and sediment and wildlife that make these wetlands function. What you can see is all the arrows go north and south, and you can see the road goes east and west. The road is a big barrier. Has been a big barrier. This is our opportunity to take out some of those bottlenecks and allow a more resilient landscape to evolve over time.

And we have been doing that. We have been planning a lot of changes. The light green areas in here are those areas which have already been restored. There is about 6,000 acres here in the last couple of decades.

The red areas are those currently under planning. The land has been acquired, a lot of them have been designed, and some have been constructed. Cullinan Ranch on the right, the Sonoma Creek Baylands Strategy Restoration Project in the middle, which has been led by Sonoma Land Trust and Ducks Unlimited. We have got Bel Marin Keys on the left hand side,

which is the Corps of Engineers and the Coastal Conservancy. And then Deer Island, which is the County of Marin. So, there is a lot of work being done already.

There's two places which have really connected to the road, which is what they incorporated into this interim project. On the righthand side is Strip Marsh East, which Stuart will be talking about shortly. And what I am going to talk about is the Tolay Creek Baylands, the lengthening of the Bridge, and the opportunity to connect from the Bay up into the watershed.

This is just to orientate ourselves. If you look at the top there is Tolay Creek Baylands connecting up to that dotted area, which is the watershed, and we have very few places in the Bay we can do that.

The problem is shown in the photograph in the bottom. There is a very small bridge there, that 60-foot-long bridge. When you are driving along there you do not even notice it. And so carefully we located this 18-wheeler just to give you the sense of scale, it is about the same size as the bridge. A very small area across there, which constricts how much water can go in and out on each tide and so there are very few wetlands above there.

So, the point of the lengthening of the bridge when there is opportunity to widen it for the road. The opportunity to lengthen it increases the amount of water we can get up into the watershed, increases the functioning, and gets those tidal marshes starting to creep more quickly and be able to accommodate sea level rise, and provides habitat for many species such as salt marsh harvest mouse, Ridgeway rail and so on.

Now we are hovering above Sears Point. We are looking down south onto the road. You can see Highway 37 cuts across many of those marshes. You can see the reason why in the long-term we need to raise everything up onto a pile causeway because there is a lot of water here. This is in 2017, a very wet year. When we are looking towards us we have also got the SMART rail and Highway 121. All of these areas are going to be affected by sea level rise. And so the plan for the summer for the Tolay Creek Restoration Project is to open up those areas to provide bigger culverts, bigger bridges at Highway 37, but along SMART rail bigger culverts. Allow the water to move around more easily and provide more space.

On the lefthand side at the top lefthand corner you can see an arrow pointed to Strip Marsh East, which Stuart will talk about. I would just like to point out how wet that is. You can see it is a white color. It is full of water. That is because it is very low lying.

If you come this way slightly there is a broad marsh area, darker color. That is at the proper height for a marsh. That is the height we are trying to achieve. And so, we are trying to make that buffer along Highway 37. So, you can see how we are using at Tolay Creek and at Strip Marsh East we are trying to use the landscape to provide a buffer to the effects of sea level rise and flooding.

But this does not happen immediately. This happens over time and also needs to be coordinated so we have four actions. The lengthening of the Tolay Creek Bridge takes time. It takes 5 to 10 years to build. So, in that time we also need to plan out the restorations as well.

This diagram is a timeline in decades, 2020, 2030, 2040, 2050. It is also showing sea level rise. That is our real driver. That is the clock that is ticking, .3, .4, .7 feet of sea level rise. The yellow areas are the lead time, the planning and the building, the green areas is when things are affected. So, in the near-term, we are going to raise, we are going to lengthen Tolay Creek Bridge. That means we can restore 200 acres of wetlands. It is a relatively small amount in the terms of the Bay, but it is a really important amount because it connects that central connection between the Bay and the watershed.

In the longer term, starting in about 2040, 2045, we are going to be raising the pile causeway, lifting up the road. That then allows us to build upon that 280 acres and increase it to more than 1,000. So, we are building on these four actions a long-term, building upon the near-term.

And with that I am going to pass it over to Stuart for the final parts on the Strip Marsh East.

Mr. Siegel commented: Thank you, Chair Wasserman and Commission Members. Very glad to be here today.

I am going to give a little more detail on the Strip Marsh here and really convey what makes this such an important piece of marsh to do enhancement on, because it is marsh. And how it fits in, how it has been fitting in and how it fits in with the near-term project and how it would provide benefits with the future causeway project.

This location is a really important aspect. So, if you imagine you are a fish and you are coming down from the Delta in the wintertime or the spring outflows and you go through Carquinez Straits, hit San Pablo Bay, you go past the Napa River confluence, and you open up into the broad San Pablo Bay. A lot of fish will hug the shoreline, especially juvenile salmon for example. That northern shore of San Pablo Bay is where there's lots of marshes, and so it is really the first marsh a fish comes to. And so, the importance to support fisheries, for example, in that whole reach of marshland on the northern shoreline is really important.

And then what is interesting about this marsh, and Jeremy showed the picture of both Strip Marsh East in that upper left corner of the air photo, and what we call Strip Marsh West. And we see this around the Bay Area, these marshes on the outside of levees. You see them in the South Bay and the North Bay. They provide this buffer to these infrastructure pieces. And they are, or were, relatively high elevation marshes. So, Strip Marsh East was higher elevation and over the past 25 years or so it has really been losing marsh habitat. It has lost about a foot of elevation as a result of that. So, 25 years ago it was almost entirely vegetative marsh. And so, we are still relatively high but we have a little ways to put that back into place there.

The other aspect is in terms of how much sediment is available in the estuary for sediment accretion, it is a pretty good spot. On the relative basis of what we have to work with for restoration, Strip Marsh is in a great location, and we have actually seen that by some field work and how fast some of the stuff we are doing clogs with sediment so we know it has a good sediment supply at present.

If you are doing one action of enhancement of a strip marsh how is it we are getting these both near-term and long-term benefits? So, from an ecological standpoint this is a critical piece of marsh. There's a lot of listed and non-listed species that benefit. It used to have lots of salt marsh harvest mice on there and has a few left now. So, the refuge used to sample at a high abundance and recent sampling shows some. But because they have lost so much emergent marsh it is quite a bit lost there.

Once we do the restoration project I will show you very generally what that would look like. We will have a lot of habitat back for mice, for birds, and especially Ridgeway rails and other birds that use the marshes and a lot of habitat for fish, none of which we have out there right now.

And it is also a large piece of marsh. Just Strip Marsh alone is about 1,500 acres in its entirety. Then next to it to the west you have Strip Marsh West and then around Sonoma Creek there's a lot of marsh in this area here.

The other really important thing is that these kinds of marshes have this really critical ecosystem service that everybody is driving for all around the world, especially here, is this natural shoreline protection. When we build something new, we call it nature-based. When we have it that is already there naturally, we call it natural shoreline protection. And so, Strip Marsh has been providing that.

And so that picture Jeremy showed when Strip Marsh was underwater in 2017, I have driven this corridor hundreds of times, I am sure many of you have. In the wintertime when there is water out there you are driving the middle of San Francisco Bay. You look to the south there is Strip Marsh flooded. You look to the north is Cullinan Ranch or Pond 1/1A. You are driving really in the middle of the Bay, and you are barely above that water.

But that Strip Marsh to the south of Highway 37 is providing that shoreline protection for wind wave erosion protection and flooding protection. As I mentioned, we are losing that because of degradation and problems with that Marsh which the enhancement aims to fix.

So, once we have this fix in place, we get the recovery, which would be relatively rapid for a lot of species, and we maintain that current shoreline protection, and through some of the actions help to improve it with the interim project. And so that shoreline protection will be a direct benefit to today's Highway 37 and to the interim project 37.

And then much longer term when the causeway is constructed that same shoreline protection that functionally gets transferred to the lands to the north, because you imagine the roadway is taken out in some fashion. To the north you have Cullinan Ranch, Pond 1/1A, several of the restored salt ponds. The same thing that Bayfront Shoreline Marsh will provide wind wave and flooding protection from extreme events reaching those restored lands to the north. So, it really has that long-term benefit as well as immediate and short-term benefits.

Here is a quick rundown on what we need to do to fix the problems out there. This air photo gives a great example. All that really bright white surface is Strip Marsh that has lost its vegetation. This south or below that white part, that is the marsh that remains out there today. And all of that was emergent marsh 25 years ago or almost the entirety of it. And we have been losing it, and we still are losing it. So, we have lost over 600 acres, and it is continuing every year to get worse and worse.

So, there's really five things to do here.

Starting on the left is we need to get the tides to the site. So that is enlarging the connectivity between the Bay and the site on the far left. That is a little bit of dredging across the mud flats and widening and enlarging a portion. That is the intake channel to the Pond 1 and 1A lands north the Department of Fish and Wildlife manages. That used to be the Leslie salt pond intake channel for the North Bay salt pond system. So, getting that bigger so we can have enough tides moving through.

Number 2 on there is remove these two drainage barriers. When Leslie Salt built that channel in 1953, they did what everyone does is you go and you excavate, you dump the soil off to the side. And they created two berms on either side of that Strip Marsh that blocked any drainage. That has been in place since 1953. And so, the next step is to lower those berms so that we have removed that drainage barrier so tides can get in and out of both the Strip Marsh East and the marsh to the west, which is going in the direction of vegetation loss but is not as far along.

The third part is to have better tidal circulation on the interior. Right now, it is just a big flat expanse. In the wintertime it is very shallow water; in the summertime it is dry dust and when the wind blows you get dust storms that blow across 37. I have physically sat in 10-mile-an-hour traffic because no visibility because of dust storms from the strip marshes blowing



across Highway 37. And so really to get a great tidal connection there.

And that we are going to do through excavation of a significant channel network which never existed here. This is a marsh that formed post-hydraulic mine in the Sierra Nevada. So, most of these kinds of marshes never had channel systems. This one had virtually none whatsoever. So, we are creating a new kind of marsh that is going to have great tidal circulation and have a lot of habitat that is not there today.

Item number four is to reverse the subsidence on the interior. Jeremy mentioned it is a little bit lower, so we have lost about a foot of elevation in the past 25 years because of loss of emergent marsh. The idea is to get that back up. Up to a point. That is going to be done through reusing the soil that is excavated from creating this whole channel network and placing them in thin lifts up to about that foot thickness to raise up those subsided areas back to marsh elevation, to mid to higher marsh elevation. That will jumpstart the resiliency for long-term along with the sediment supply which is reasonable and with a good connection, will bring sediment into the marsh.

The last piece is number five, the Bay shoreline. It has been documented that the shoreline has changed from a very accretionary-building shoreline to one that has been eroding. And by the past 10-15 years has been shown to be eroding. We are still figuring out what we can do about it. It is a really complicated place to work to do things because the offshore of that is a multi-mile wide, super shallow mud flat and so you cannot just bring barges and material in because it would be very difficult. And bringing equipment out on the front of that marsh that can be very damaging to the marsh. So, we are we are still working out ways to try to tackle that problem on the Bay shoreline there.

So, how this fits together in this adaptation framework that Jeremy just showed previously. The top two bars are the near-term actions. The lead time in the orange for the near-term work is about 2030 or so to get the construction hopefully completed for Strip Marsh, actually have that enhancement work done. Once it is done, the benefits to the ecology extend long-term in time, which is fantastic.

That middle bar kind of senses that Strip Marsh East in total is about 1,500 acres. We are both enhancing that area and providing resiliency for that piece of marsh for the long-term. So it is really bringing back what has been lost and protecting what is still there. And then that gives us that shoreline protection function that these marshes on the Bay shore provide to the infrastructure, in this case State Route 37.

And then the bottom bar long-term once the causeway is built. As I mentioned, that is 2050 or so. That starts bringing in the benefits of the shoreline protection to all the restored lands to the north. And this example, like Cullinan Ranch for example. Sediment supply back up there is very low because it has to go around Napa River, up Dutchman Slough and bring sediment in, so it is not a high rate of accretion in there. And so, the time here, who knows where Cullinan will be exactly. But this really provides a huge benefit to those immediate projects and also lands further to the north through the whole Napa-Sonoma Marsh complex.

And with that I think I hand it back to Jeanette.

Ms. Weisman continued: So, to bring us back to where we began and to wrap us up. Why the Near-Term? The Near-Term is going to be advancing the community's priorities. It is going to be supporting the region, and it is getting the sea level rise adaptation going. We are looking to get the train out of the station starting next year and we are going to be picking up steam from there. So, with that, happy to take any questions that you have.

Chair Wasserman asked: Do we have any public comment?

(No members of the public addressed the Commission.)

Chair Wasserman continued: Questions or comments from Commissioners?

Commissioner Nelson commented: A question for Jeanette and Stuart. One of the advantages to the causeway over the long-term is that it improves tidal circulation. That graphic that had all the arrows, it had an arrow going basically across Highway 37. Nothing is going across Highway 37 now and if Highway 37 was replaced by a causeway that connection is restored. Is there any way to do a partial fix there in the interim through a small bridge in the middle of Highway 37 that would connect Cullinan? Stuart was talking about the lack of sediment in the Cullinan Ranch area. Either culverts or a small bridge in Highway 37 as part of the interim project. Has Caltrans and Stuart, have you looked at that as a potential as a part of this interim project?

Ms. Weisman responded: I will go ahead and get started and then have you take on any additional input from Jeremy or Stuart or others, including David Weber who is our Caltrans biologist here.

We definitely looked at wildlife connectivity, looking at both the near-term priorities, opportunities to deliver that as part of the Near-Term Project, so we went out with the regulatory agencies and land managers. What we identified as part of that initial thinking and look along the corridor was that the Tolay Creek Bridge replacement and work as part of that is really where we are going to see most immediate benefits and we have that fully funded through a state local transportation adaptation program. So, we are going to be moving forward with that. That is built into our project and I think that is going to go a long way to meet the connectivity needs both aquatically and then in the more near-term terrestrially. And we are looking at ways that we can facilitate our focus species in crossing that area.

And additionally, we looked at culverts where we have the opportunity to also maybe make some improvements. We looked at a culvert by the San Pablo Bay National Wildlife Refuge headquarters and we saw a potential opportunity there to make some improvements and support some under crossings in that area where it is currently getting filled in and blocked by sedimentation. So, we are looking at that as part of the project.

And then as part of Strip Marsh East, Stuart, go ahead and add in where needed, but my understanding is that there is less demand there. But we are trying to design the roadway in a way that will allow for some movement with like an opening underneath the barrier, but at the same time not create an attractive nuisance to the salt marsh harvest mouse, which I hear sometimes is called SMHM, I think. We do not want to make it as much. We want to allow them to cross to the best of their ability, or direct them, really, in alternative routes.

Anything you want to add Jeremy and Stuart to that?

Mr. Siegel stated: Well, I am not sure about Jeremy. I would say it is an intriguing concept. And I have thought a little bit about that and how that might work. Think about a difference in ground surface elevations of the Strip Marsh relative to Cullinan Ranch and where you would have to bring channels and try to get water movement underneath there. So, it is not an impossibility to do something like that, but it is definitely a big lift. And it would connect the tides through that Pond 1/1A channel which would have to be a lot larger and bring it through Strip Marsh underneath Highway 37.

One thing that is interesting is that that all the marshes in the whole Napa-Sonoma Marsh complex north of 37, their tidal connection historically, was from Napa River and Sonoma Creek and Tolay Creek. There were not any significant tidal marsh channels that came from the Bayfront shoreline into those marshes, it all came around from the back, so to speak, up those three major waterways, and that is how nature had it. And it is the same on Novato Creek where Hamilton and Bel Marin Keys are and those places like that. It is because of a very high energy

environment there. So, we have been looking more to get Strip Marsh functioning and preserved in the near-term so that we do not see its loss and then use the research of the causeway to really tackle the bigger picture of issues to the north.

Ms. Weisman continued: Right. And I was just going to add one more thing that came to my mind, Commissioner Nelson. And that is that we have to be mindful of the openings that we are going to add or potentially add in the near-term because of the implications and effects to the land manager, CDFW's land to the north. So, we are definitely coordinating closely with them as part of the Strip Marsh East ecological enhancement to make sure that whatever we do to increase and improve water flow does not unintentionally undermine their operations. So that is another. There is always a caveat and a nuance to the planning product.

Commissioner Nelson asked: And that is with regard to the CDFW lands north of 37, north of Cullinan Ranch?

Ms. Weisman replied: Correct.

Commissioner Showalter stated: I wondered about to make sure that you have funding to go forward with this that is not federal funding.

Ms. Weisman responded: Yes, do you want me to speak to that as it relates to the Near-Term Project?

Commissioner Showalter replied: Just quickly, yes.

Ms. Weisman stated: We have funding now obtained for the first two construction efforts, so that is the Tolay Creek Bridge replacement and 121 improvements. That is completed, that is ready to roll soon as we get our permits in hand, essentially.

Commissioner Showalter noted environmental nuances: Excellent. Okay. And then my second question is, this seems to me to be an amazing opportunity to get lessons learned from what happens when a marsh gets degraded. As we do marsh restoration around other edges of the Bay that are not in such high energy situations of course it might be different. But that said, this seems like just such a great living experiment of lessons learned for making sure that our restored marshes are indeed protected and last as long as they possibly can. So, I wanted to ask how adaptive management is built into this process to utilize those lessons learned.

Ms. Weisman explained: Absolutely. I will get started and then happy to turn it over. We are drafting the adaptive management now as we speak. I am not the one writing that so I will defer to others on what that contains and maybe some high-level information around that.

I do want to point out, not only are we doing something say for the first time, but we are actually building upon the work that was already completed and the success of Strip Marsh West, which Stuart and his team delivered. And learning from that process, applying it here, will keep that evolution and iteration process going. Stuart, anything you want to add here?

Mr. Siegel added: Yes, I would just say that following on what Jeanette mentioned about the work on the west side of Sonoma Creek on the Strip Marsh. We had a design idea for Strip Marsh East almost 25 years ago. We applied for funding, and we were the project right below the green line of money. It was like Prop 68 maybe, we were right below the money. And then so it never got done.

And then along Sonoma Creek, that one came up working with the mosquito abatement district so that one got designed and built. And we took the design idea for the Strip Marsh, applied it over to the Sonoma Creek Strip Marsh, and built that; and that got built about 10 years ago. And it had some adaptive management features, which we are building those same ideas back into the design for Strip Marsh East. Which is, you do the bulk of the work first. You spend a little time seeing how the hydrology is benefited, look at the vegetation and the wildlife, and then go back in and add more channels if you need it.

And so, in the case of the Sonoma Creek Project it was with mosquito abatement and the permits allowed maybe 10,000 linear feet of new ditches with the mosquito abatement ditcher, which can drive almost anywhere. And so, we are building the same idea here is we do the major work and then we will allow to come back in and do a lot more ditching if it is necessary.

And that Sonoma Creek West, it went from being a very problem area to the way the Refuge describes it now, it is infested with Ridgeways rails, and it had none before, or very few before. So, it has been very successful and really a lesson learned, and it is an adaptive management plan we are developing for Strip Marsh East for the exact purposes you described. To really make sure to build it and then watch and modify as we need to.

Commissioner Showalter acknowledged: Thank you. It is delightful to hear somebody talk about something being infested with Ridgeway rails. Wow, that is wonderful. Thank you so much.

Ms. Weisman interjected: Jeremy, you wanted to add something?

Mr. Lowe added: I just wanted to add on to Pat's question about adaptation and increasing resiliency. One thing that we have been looking at is how to make use of the elevation that already exists in these Baylands. And so, the Tolay Creek Restoration connects to an alluvial fan, which is a long sloping area which goes from the wetlands up into the uplands. So that is open space which then the marshes can migrate into. So, it is part of the discussions about the large areas to the north I showed earlier on, the 6,000 acres we have been planning. It is making use of the natural features in the landscape to try and connect upland areas and so we are building in sort of natural adaptation already into these projects.

And the second thing is the areas that we lost on Strip Marsh East, we wrote a white paper about it about two or three years ago and kind of highlighted it, but really that white paper was written 10 or 15 years too late. We should have caught it much earlier.

Now with the Wetlands Regional Monitoring Program doing regular updates on the Baylands habitat map, we should be able to see other marshes; if they are going to do this, we should catch them much earlier and fix them much earlier. So hopefully Strip Marsh East we have already learned that lesson that we need to keep an eye on habitat that we not only restore but also that we lose and we do not lose more in the future.

Commissioner Showalter continued: Well, thank you. And I was just going to say that one of the things I always try to bring up is how we continue to utilize the science and the knowledge and the expertise that we are developing in these projects in the subsequent projects. Because what we are doing here is just very, very specialized and there are not a lot of people who know how to do it and there is not a lot of history about it. It is really important that we be very, very diligent and on top of it on a regular basis. It cannot be something that is done as an also-ran. It has to be an incorporated part in these programs as they go forward for the good of the whole Bay. That is my soapbox for today, thank you.

Commissioner Moulton-Peters stated: I had a question similar to Commissioner Nelson's and I asked it at another event where Jeremy Lowe and I were and this has to do with the restoration of Cullinan Ranch. Jeremy or Stuart. But I think you told me that actually Cullinan restores largely from the Napa River as opposed to from the Bay and that was something I had not understood before.

Mr. Lowe agreed: Yes, you are exactly right. And as Stuart has already talked about is that the connections to the marshes in the Napa-Sonoma marshes, all those areas, those thousands of acres north of Highway 37, they are either connected through Napa River or Sonoma Creek or Tolay Creek. And that is because there is a lot of wave activity. A lot of waves in San Pablo Bay which keep pushing sediment and mud towards the shoreline. It is the reason

why we have a berm at Highway 37 which they built the road on originally. The original toll road was built upon that and then gradually Caltrans came along and built even more on top of it. And we are going to build more in the future on top of it and we are going to build more in the future on top of it.

So, that feature under there is a natural feature driven by the waves. But those same waves, they tend to close up channels, and so it has been very difficult to make a small channel connecting to the marshes there, so they tend to go around the back into Tolay Creek.

The only reason that the Strip Marsh East has that intake canal is because the Leslie Salt Company built levees along there to keep it open, which is not a great solution for this.

So, you are dead right. These are different types of marshes than we have in other parts of the Bay. They do not connect to the Bay, they connect to the rivers. And keeping the rivers open is important but they are the same rivers that the bridges from Highway 37 go across as well.

Chair Wasserman noted: I do not see any other hands.

We are going to get tossed out of this room at 4:50 so I think once again, unfortunately, we are going to have to postpone the legislative briefing. I will commit that we will schedule it at the beginning the next time it is on.

I appreciate everybody's patience and attention, but I do want to reemphasize that at our next meeting we are starting at 10:00. Please do not plan on leaving early. We are starting at 10:00 because we expect to have a very packed program.

Thank you for your presentation very much. Jeremy, do not run away. I have a question for you but I will ask it off the record. I thank you all.

**10. Briefing on Legislative Issues.**

Item 10 was postponed.

**11. Adjournment.** There being no further business the Commission meeting was adjourned at 4:41 p.m.